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BERMUDAS OR SOMERS ISLANDS

VOL. II.

LONDON : PRINTED BY
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AND PARLIAMENT STREET

Frontispiece.

VIEW of the KINGS' CASTLE, BERMUDA. taken from SOUTHAMPTON FORT.

From a Photograph by Capt. Puzey, R.E. 1878. Distance about 400 Yards.

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MEMORIALS OF THE

DISCOVERY AND EARLY SETTLEMENT
OF THE
BERMUDAS OR SOMERS ISLANDS

1511–1687

COMPILED FROM THE COLONIAL RECORDS
AND OTHER ORIGINAL SOURCES

BY

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SOMETIME GOVERNOR OF THE BERMUDAS

4270a.71
Vol. 2.

VOL. II.
1650–1687

WITH MAP AND FACSIMILE OF A BERMUDA MS.

LONDON
LONGMANS, GREEN, AND CO.
1879

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Apr. 26/79

PREFACE

TO

THE SECOND VOLUME.

THE materials furnished by the Colony have been largely supplemented in this volume by documents preserved in the Public Record Office in London; and it is entirely due to them, and to the courteous assistance of the officers of that department, especially of Mr. Noel Sainsbury, that the Editor has been enabled to trace out the proceedings of the Crown against the Bermuda Company, and the commencement of the Royal Government.

The principle followed in Volume I. of adhering very closely to the MS. in orthography, &c., has been slightly departed from in the present volume, to the extent of correcting many obvious mistakes, and of using capital letters in moderation, instead of emphasizing nearly every clause, and beginning a large proportion of the words with them, as became the fashion. Characteristic as it is of the period, it is very unpleasant to the modern eye in type.

With a few exceptions that have escaped correction, proper names have also been distinguished by capitals, which is very frequently disregarded in the originals.

The reign of Charles II. was characterised in Bermuda, as elsewhere, by a great social deterioration, evinced not only in morals but in education,[1] and public spirit. The original letters of W. Milbourne, W. Righton, and W. Peniston (who was proposed for the office of Governor by the revolutionary faction in 1684[2]), are illiterate to an extraordinary degree; and there appears to have been at that period a rudeness, violence, and disorder in the community, which faithfully reflects the age of piracy and buccaneering in the West Indies, of plots and factions at home.

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[1] See p. 207.

[2] p. 542.

In printing the trials for witchcraft as a contribution to the literature of that subject, the Editor must guard against any supposition that the Bermudians were more ignorant or more superstitious than their contemporaries in the mother-country; and they certainly were not so brutal. The Act of James I. stood on the Statute-book down to 1736; and among the national sins annually confessed by one body of Seceders from the Kirk of Scotland, at least so late as 1785, was 'that the penal statutes against witches have been repealed by Parliament contrary to the express law of God (Exod. xxii. 18).' No one who has not read the details of witch trials can have any idea of the revolting cruelties habitually practised against persons, chiefly women, charged with this imaginary offence, down to an advanced period in the last century. 'Locke had written upon government, Fletcher had been a patriot statesman, Bolingbroke had been a minister in the Augustan age of Queen Anne, ere this system of legal murder and torture was abolished.'[1] It is to the honour of the English settlers in Bermuda that this delusion in its active form had a short and, comparatively speaking, not very cruel course among them; in a passive form it is not entirely extinct to this day. There was a reputed witch in 1872: 'Pensioner . . . Top of the Hill, Hamilton, will find her,' was the mysterious direction given to one enquirer. Many an old negress passes for 'Tricky,' in which is meant more than is expressed. About twenty persons were prosecuted for this offence, and five of them executed.

Perhaps one of the strangest episodes in the religious struggles of the 17th century is the attempt to found a settlement on the Island of Cigatio, in 1646: a name given by Columbus, but changed by the Adventurers into Eleutheria,[1] to signify the pure religious liberty to be established there—a liberty going far beyond the relative freedom of Massachusetts Bay and New Plymouth, where indeed the yoke of ministers and elders was soon found to be more galling than that of bishops. This settlement was in its early history much linked with Bermuda, and the reader will find abundant materials for romance in the particulars recorded about it.

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[1] Hugo Arnot, 'Criminal Trials in Scotland, from 1536 to 1784.' Edinburgh, 1785, p. 369.

In other respects these records throw some light on Church history, for we clearly find episcopal orders treated after the Restoration as non-essential: some ministers were ordained and some were not; those who were, like Nathaniel White and Sampson Bond, changed sides with so little hesitation, that we must infer the absence of the strong lines of demarcation since established.

Most readers are familiar with the wholesale transportation of those more fortunate Scotch, Irish, and English prisoners of the civil wars who escaped execution. They were bought and sold like cattle, their bones lie in Jamaica, Barbadoes, Bermuda, Pennsylvania, and wherever else cheap labour was in demand; but of their fortunes and social condition in the Plantations to which they were deported, little has ever been traced. These records afford some glimpses of it. The passionate Scot who was made prison drudge for maiming a man;[2] the wild Irish, who are ever ready to join the negroes in cutting the throats of the planters;[3] are samples of the elements introduced into the Colonies by these mistaken severities. They probably met nowhere with better treatment than among the homely rural population of Bermuda. Even the short-lived Monmouth rebellion had a perceptible effect on the struggle of parties in the island,[4] and raised hopes which probably reflect its influence on more important dependencies.

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[1] Frequently mentioned as Segiteo, Segateo, or Segatoo, a fact unknown to R. H. Major, when he identified the island of Eleutheria with Cigateo, in his exhaustive investigation of the Landfall of Columbus ('Journ. R. Geogr. Soc.' 1871). The writer has recently found it so marked in a map of the West Indies, by Le Sieur Robert, Géographe Ordinaire du Roy, 1750; and also enumerated among the Bahamas in the Universal History. An ingenious conjecture that Eleutheria is a corrupted form of Isle de Tierra is hardly to be maintained in the face of the contemporary reference to its more obvious origin at p. 4; but, singularly enough, it is spelt Ilathera on an old chart by John Thornton.

[2] p. 140. [3] p. 159. [4] p. 560.

A large part of this volume is filled with proceedings against the Quakers, a sect which has entirely disappeared from Bermuda. There, as elsewhere, the spirit of faction assumed the garb of piety, and some of the worst men in the community were foremost in loud profession ; yet there is something real in the courage and devotedness of several of the party. The defence of Parnell Wilkinson (p. 376) has a simple pathos in it which leaves no doubt of her sincerity. It will be seen at p. 730 that she was a woman of some property.

The writer cannot conclude his labour without holding up to the imitation of Colonies contemporary with Bermuda the remarkable and enlightened liberality shown by its Legislature in providing for the expense of the present publication. Diligent search in Antigua, the Bahamas, Barbadoes, St. Christopher, Jamaica, Monserrat, Nevis, Newfoundland, New Brunswick, Nova Scotia, Prince Edward's Island, followed up at the Record Office in London, could scarcely fail to recover out of public or private sources matter, if not so copious, as interesting to their present and future inhabitants, as well calculated to stimulate and satisfy a spirit of intelligent enquiry, and as illustrative of English social history. Those who are well acquainted with the Bermuda of the present day will find innumerable keys, not without political value and significance, to the interpretation of its many marked characteristics, in these Records. The like would probably be furnished in many other cases, and if it be true that—

> We are the ancients of the earth
> And in the morning of the times
>
> TENNYSON—

the solution of the pressing Colonial problem, how small but independent insular communities, in these days, shall be grouped and governed, may yet receive aid from a more accurate knowledge of the moral foundations they severally stand on.

The subjoined list of original authorities relating to Bermuda, although probably imperfect, may be of use to future enquirers. The vignette below represents the sole surviving monument of a Bermuda which has ceased to exist. It is the North Rock, a group of pinnacles, the loftiest only fourteen or fifteen feet high, which rises from the outer reef at about eight miles distance from the nearest land, buffetted by the storms of countless ages, and itself slowly yielding to the doom of inevitable submergence. Few who have visited this spot, only accessible in the calmest weather, where not a sea-bird finds a resting place, can ever forget the impression of silence and solitude which it leaves on the mind.

J. H. Lefroy.

January 1, 1879.

From a Photograph taken Dec. 27, 1875.

Rock bearing N. 80° W. at 115 feet distance. Greatest height 14½ feet. Lamination at a dip of 35° to the South.

THE LITERATURE OF BERMUDA.

1526 Oviedo, 'De la Natural Hystoria de las Indias,' Toledo, 1526.

1594 'Narrative of Henry May' (Vol. I. p. 7), printed by Hakluyt in 1599.

See also the Voyages of Sir James Lancaster, Kt., to the East Indies, &c., edited for the Hakluyt Society by Clements R. Markham, 1877, p. 25; and in the same volume a brief notice by Lieut. Edmund Barker, who had touched at Bermuda in the 'Edward Bonaventure,' September 17, 1593, three months before May's shipwreck, p. 20.

1596 'The Discoverie of the large, Rich and Beautiful empyre of Gviana &c.' Performed in the year 1595 by Sir W. Ralegh knight &c.[1]

Imprinted at London by Peter Robinson 4to, 1596.

1600 'Brief Narrative of the most remarkable things that Samuel Champlain of Brouage observed in the Western Indies, during the voyage which he made to the same in the years 1599–1602.' Clements Markham, in Publ. of the Hakluyt Society, London, 1859.[2]

1601 'Historia General de los Hechos de los Castellanos en las Islas i Tierra firme del mar oceano.' Escrita por Antonio de Herrera, &c. Madrid, 1601.[3]

1610 'A Trve Declaration of the estate of the Colonie in Virginia, with a confutation of such scandalous reports as haue tended to the disgrace of so worthy an enterprise.' Published by aduise and direction of the councell of Virginia. London, Printed for William Barret, 4to, 1610.

Contains probably the earliest notice of the Bermudas printed in England.[4]

1610 'A discovery of the Barmudas otherwise called the Ile of Divils' by Sir Thomas Gates, Sir George Summers and Captain Newport with Diuers others, set forth for the loue of my country, and also for the good of the Plantation in Virginia by Sil Jourdan, 4to, 1610.[5]

1610 'Newes from Virginia' of the Happy Arrival of that Famous and Worthy knight Sir Thomas Gates, and well reputed and valiant Captain Newport into England. By R. Rich, Soldier, 1610.[6]

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[1] II. p. 571. [2] II. p. 572. [3] I. p 5.
[4] I. p. 12. [5] I. p. 14. [6] II. p. 574.

Lord La War, la Ware, De la War, arrived in Virginia, 9 June, 1610, and soon after sent Sir Thomas Gates home (Smith, p. 108) where he himself was constrained by sickness to follow him in March 1611; Gates returned in September, 1611.

1610 'A true repertory of the wracke and redemption of Sir Thomas Gates, knight, vpon and from the Ilands of the Bermudas, his comming to Virginia and the estate of that Colonie then, and after, under the Gouernment of the Lord La Warre,' July 15, 1610, written by William Strachey, Esq. 'Purchas His Pilgrimes,' iv. London, 1625.[1]

Smith does not connect any event particularly with the date July 15, 1610, which is seven weeks after Lord De la Warr's arrival.

1612 'The New Life of Virginia.' Declaring the former successe and present estate of that Plantation, being the Second Part of Noua Britannia.
Published by authority of his Majesties councell of Virginia.
London, Imprinted by Felix Kyngston for William Wilby, 1612.

There is a short reference in this tract to the shipwreck and escape of Sir Thomas Gates and Sir George Sommers, adding, 'of whose long abode and preservation in these broken deserts, and of their strange and wonderfull deliuerie thence, it is already related and published by Sir Thomas Gates,' but the writer has met with no narrative bearing his name.

1613 'A plaine description of the Barmodas, now called Sommer Islands, with the manner of their discovery Anno 1609, by the shipwrack and admirable deliuerance of Sir Thomas Gates and Sir George Sommers,' wherein are truly set forth the commodities and profits of that Riche Pleasant and Healthfull countrie, with an addition or more ample relation of diuers other remarkable matters concerning those islands since then experienced, latelie sent from thence by one of the Colonie now there resident.[2]
London, 1613.

This publication calls itself the first book published to the world touching Sommer Islands, which, as Mr. Henry Stevens has pointed out, must have reference only to the recent adoption of that name. It is substantially a reprint of the 'Discovery of the Barmudas.'

1613 'An Epicede or Funerall song on the most disastrous Death of the High borne Prince of Men, Henry Prince of Wales.'[3]

The passage in which the Tempest of Sir George Summers is referred to is quoted, II. p. 575.

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[1] I. p. 22. [2] I. p. 14. [3] II. p. 575.

1615 'A letter sent to England from the Summer Islands,' written by Mr. Lewis Hughes a Preacher of Gods word there. 1615.[1]

Printed at London by I. B. for William Wilby, 1615.

1616 A letter dated 14 July, 1616, addressed by Bryan Cave to Mr. Thorpe, one of the Adventurers for the Sommer Islands, with a marginal note by Daniel Tucker.

MS. in possession of Reginald Cholmondeley, Esq., in 5th Report of the Historical MSS. Commission, p. 340.

1619 'Petition to the King by the Companys for Virginia and the Somer Islands, setting forth that in consequence of a complaint by Alderman Johnson they had been persecuted and their books seized.'

MS. in Earl de la Warr's collection at Knole Park. In 4th Report of the Hist. MSS. Commission, p. 283.

1621 'A Plaine and true relation of the Goodnes of God towards the Sommer Ilands written by way of exhortation, to stirre vp the people there to praise God.'

Whereunto are added certaine questions and answers concerning the keeping holy of the Saboth day, and publicke exercises of religion Written in the Summer Islands for the benifit of the people there. By Lewis Hughes minister of God's Word. At London. Printed by Edward All-de dwelling neare Christs Church 1621 pp. 46.[2]

1622 'Propositions agreed on by the Lord High Treasurer of England, and the Company of Virginia and Summer Islands, touching the sole importation of tobacco.'

Dated Feb. 27, 1622, and laid before a great General Court of the Virginia Company, July 10, 1622.

This paper, formerly in the collection of the Duke of Dorset, with others relating to the subject, appears to have been consulted in the original, by Rev. D. Peckard, and is quoted at some length in his life of Nicholas Ferrar, 1790. It is not referred to by Mr. E. D. Neill in his 'History of the Virginia Company of London,' Munsell, Albany, N.Y., 1869.

1622 Orders and Constitutions, given in full, Vol. I. pp. 182–228.

1623 Petition by the Somers Islands Company to the Lord Treasurer, stating that they have brought their crop of Tobacco to the Port of London, that it is of mean quality, inferior to that brought from Spain, and praying for a remission of Duty. MS. in Earl de la Warr's collection in 4th Report of Hist. MSS. Commission, p. 284.

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[1] II. p. 577.

[2] II. p. 580.

1626 'The Generall Historie of Virginia, New England and the Summer Isles, with the names of the Adventurers, Planters and Governours from their first beginning An. 1584 to this present 1626, with the proceedings of those severall colonies, and the accidents that befell them in all their Journyes and Discoveries. Also, the Maps and Descriptions of all those contryes, their Commodities, People, Government, Customes, and Religion yet knowne.' Divided into sixe Bookes by Captain John Smith, sometymes Governour in those Countryes and Admirall of New England. London, 1627.[1]

There are later editions—1629 and 1632—which continue the history to 1629. There is also an edition of 1624. The prospectus appeared in 1623.

1630. 'The True Travels Adventures and observations of Captaine John Smith in Europe, Asia, Affrica, and America from Anno Domini 1593 to 1629, etc.' Together with a continuation of his Generall History of Virginia. Summer Iles, New England their proceedings, since 1626 to this present 1629, as also of the new Plantations of the great river of the Amazons, the Iles of S^{t} Christopher, Mevis and Barbadoes in the West Indies. All written by actual authours whose names you shall finde along the History. London Printed by F. H. for Thomas Slater, and are to bee sold at the Blew Bible in Greene Arbour 1630.

The part relating to the Summer Islands is reproduced in subsequent editions of the General History, and has been given in vol. i. p. 493.

1631 Probable date of an unpublished MS. History of the Bermudas in the British Museum, Sloane MS. 750. There is a strong presumption from internal evidence that it is by Captain John Smith.

1640 'Certain Greevances well worthy the serious consideration of the Right Hon. and High Court of Parliament, set forth by way of Dialogue or conference between a country gentleman and a minister of God's Word for the satisfying of those that doe Clamour and malitiously revile them that labour to have the errors of the Booke of Common Prayer reformed.'

By Lewes Hewes minister of God's Word. (The Gentleman was William Snelling.) Imprinted in the yeare 1640 small 4to.

1641 'The Company of London for the Plantation of the Summer Islands petition the House of Commons representing that they are constrained under great penalties to bring all the Tobaccos grown in those Islands to the Port of London, without vending any part thereof elsewhere, to the end His Majesty may receive custom and impost for the same. They have sustained great losses by having large quantities of Tobacco unsold in the said Port for three years and upwards, and pray for leave to export the Tobacco without paying either custom or impost.'

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[1] Incorporated in Vol. I.

Commons Journal II., 56, in Calendar of the MSS. of the House of Lords, in the 4th Report of the Hist. MSS. Commission, p. 56.

1644 'A Declaration of the Right Hon. Robert Earl Warwick, Lord High Admiral of England,[1] and of all the Plantations belonging to any his Majesties the King of Englands subjects upon the coasts of America, Governor of the Company of London for the Plantation of the Summer Islands and of the said Company,' 13 October, 1644, 4to, pp. 4.

Two Petitions from Bermuda, one addressed to Parliament, the other to the Company, without date, are appended. These Petitions are also printed by Prynne, and answered by N. White in the Pamphlets quoted next.

1646 'A Fresh Discovery of some Prodigious New Wandering Blasing Stars and Firebrands styling themselves New Lights, &c.'

By William Prynne of Lincolns Inn Esq^{re} London. Printed by John Madock for Michael Spark 1646.

See Vol. I. p. 579, for the title-page of this pamphlet in full. The 2nd edition has an Appendix, containing some letters, papers, and a Petition from the Somers Islands.[2]

1646–7 'Truth gloriously appearing from under the sad and sable cloud of obloquie or a Vindication of the Practice of the Church of Christ in the Summer Islands &c. by Nathaniel White, Bachelor of Divinity and Pastor of the Church of Christ at the Summers Islands.' London, Printed by G. Calvert; *no date*. See Vol. I. p. 580 for the title-page of this pamphlet in full. It contains answers to R. Beake, R. Norwood and W. Prynne. Also a postscript containing an Answer to the Petitions printed Vol. I. pp. 603-9 and 609-10, and a disclaimer of another Petition emanatting from his own party, and signed by the Sheriff W. Rener, Capt. W. Seymer, Capt. R. Jenyns and about 120 more.

1647 N. Ward. A Sermon preached before the Honourable House of Commons at their monthly Fast, being on Wednesday, June 30, 1647. By Nathaniel Ward, minister of God's Word (long a minister in Bermuda). London, Printed by R. J. for Stephen Bowtell, at the signe of the Bible in Pope's Head Alley, 1647. Boston Public Library.

1651. 'Copy of a Petition from the Governor and Company of the Sommer Islands with annexed Papers, presented to the

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[1] I. p. 586.

[2] I. p. 603–9.

Rt. Hon. the Council of State, July 19, 1651. Other copies of several letters from Captain Josias Forster, Governor of the said islands, and from the said Governor and Council, with a Petition from the inhabitants. For the pertinent information of the several members that are, or have been, of the Council of State, and others who may be willing to understand the same.' London, 1651.

1676 'A true relation of the just and unjust Proceedings of the Somer Islands Company in relation to 20 shares of Land that Perient Trott bought of the Rt Honble the late Robert Earl of Warwick, the 22 February, 1658,' &c.[1]

1682 'A Public Tryal of the Quakers in Bermuda upon the 1st day of May 1678.' By Sampson Bond, late Preacher of the Gospel in Bermudas. Boston in New England, 1682.[2]

1808 'Narrative of a Mission to Nova Scotia, New Brunswick, and the Somer's Islands,' by Joshua Marsden. Kershaw, London, 1827. 8vo. pp. 348.

The Rev. J. Marsden was a Methodist Minister who landed in Bermuda May 15, 1808, and left it March 1812. The book is remarkable for its account of the persecution and sufferings of the missionary who preceded him in 1799, Mr. Stevenson, who was imprisoned six months and fined £50 for, as he alleged, 'Preaching the Gospel of Jesus Christ to African Blacks and captive Negros.' The legislature of Bermuda in 1800 passed an Act to suppress these missionary efforts, and he himself encountered much opposition from the Magistracy and Planters.

1824 'Sketches of Bermuda,' by Richard Cotter, Purser R.N. London, Effingham Wilson, 1824. 8vo. pp. 69.

This little work preserves the romantic story of 'Murder by Mistake,' admirably related (with embellishments) in 'All the Year Round.'[3]

There are more recent works, several of which have been referred to in the text. These are all the Editor knows that have an historical value.

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[1] II. p. 445.

[2] II. pp. 460, 639.

[3] For Aug. 27, 1864.

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MAP.

THE BERMULAS, AS DRAWN BY RICHARD NORWOOD, 1663, COMPARED WITH THE ADMIRALTY CHART OF THE PRESENT DAY . . . . *to face page* 645

ERRATA AND ADDENDA.

Page xii The date of the Epicede is 1612 not 1613.

40 Head line, *for* "1652" *read* "1653."

45 Line 22, *for* "come" *read* "corne."

78 Head line, *for* "Treason" *read* "Treasure."

79 Note. *After* Newfoundland *insert* from 1844. It may be added, that appointments to benefices were made by the Bishop of London in the eighteenth century.

80 Line 9 from bottom, *for* "recorded" *read* "recovered."

125 It should have been noted that Richard Cromwell had resigned his Protectorate on the 22nd April, nearly three months before he was proclaimed in Bermuda.

141 Note. The statement that Norwood once resided in the house now known as his, appears to be a mistake. It is of later date, but there are remains of his dwelling-house.

148 Note. The statement that the Episcopal Church was in 1661 the established church of all the Colonies, requires qualification. It was never established in some of the New England colonies.

213 No. 24. An unexampled series of shocks visited Lower Canada about this time, of which the record by the Jesuit Father Lallement was translated by M. Lemoine of Quebec, 1876. There are evidences of earthquake action in some of the caves.

281 No. 22. Heydon had been knighted since 1663, being always referred to by Norwood in that year as Mr. John Heydon. *See* p. 714.

337 Lines 21-22, *for* "Just" *read* "Inst." (Institutes).

370 Line 9, *for* "Mr. Trear" *read* "Mr. Treasurer."

371 Note. The word Mundungus is given by Johnson as "stinking tobacco. Bailey." *See* also Grose's Classical Dictionary of the Vulgar Tongue.

423 *For* "Geodessic" *read* "Geodesic."

447 Note. 'White-bone' and 'blue-bone' porgays are varieties still acknowledged. The former is most esteemed for the table, and is 'porgy' proper. The latter is less common, and is chiefly found on the south side. J. H. D.

448 Note. 11 lines from bottom, *for* "1688" *read* "1658."

457 Line 18, *for* "windward water" *read* "wind and water."

470 Line 17, *for* "1876" *read* "1676."

490 Line 9, *for* "18th" *read* "13th."

491 Line 2, *for* "nolli prosequi" *read* "nolle prosequi." Note, *for* "Poden" *read* "Noden," *for* "clament" *read* "clamant."

550 Par. 7. The vessel was the ketch "L'Amitie" from Martinique, bound for Cadiz.

551 Last line. Bond petitioned the Crown. Petition received 26 July, 1685. Col. Papers.

575 A line has been omitted: *read*

Their Drum the thunder; and their colours lightning,
Both souldiers in the battel; one contending
To drown the waves in noyse, etc.

The poem preceded the performance referred to.

MEMORIALS OF THE BERMUDAS.

CHAPTER XI.

A.D. 1650–1658.

CONTINUANCE AND CONCLUSION OF THE GOVERNMENT OF CAPTAIN JOSIAS FORSTER, UNDER THE COMMONWEALTH.

CHAP.
XI.
1650–1658

1. The first volume of this work carried the record of the Plantation of the Somers Islands down to February 165$\frac{1}{2}$, when the inhabitants at last took the oath of allegiance to the Commonwealth of England 'as it is now established without a King or House of Lords.' The impunity with which they were permitted to defy the forces of the State for two years is easily explained by the little communication they had with the mother-country and by the absence of any strong political or commercial motives for the enforcement of an earlier obedience. Since, however, that volume was printed the editor has found a pamphlet of 1651[1] which throws so much light on some of the events of 1650 that it is necessary to retrace our steps a little.

Captain Josias Forster came to Bermuda in the *Dorset*, which arrived about August 1635, and succeeded Thomas

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[1] Copy of a Petition (see p. 22) from the Governor and Company of the Sommer Islands with annexed Papers, presented to the Rt. Hon. the Council of State, July 19, 1651. Other copies of several letters from Captain Josias Forster, Governor of the said islands, and from the said Governor and Council, with a Petition from the inhabitants. For the pertinent information of the several members that are, or have been, of the Council of State, and others who may be willing to understand the same. London, 1651.

Stokes as Secretary in 1636 or 1637.[1] Appointed to this office at a time when Royalist and High Church principles ruled in the governing body, he no doubt affected a zeal for them, and we find the Rev. Nathaniel White in 1645 denouncing him for his hatred of the Independents.[2] His sympathies, however, were altogether with the Puritan side, and it is evident that he had friends in power who were able to satisfy the Council of State of his devotion, and to procure his nomination as Governor.[3] The first letter he received has been preserved, but it is unfortunately in a mutilated state, without date, and previous to the discovery of the pamphlet in question had been assigned to a later period. It is evident, however, from the concluding paragraph, that it is the letter of January 1, 1650, referred to in the subsequent correspondence. The portions in *italics* are restorations necessary to make it readable.

2. Letter from the Committee in London to Captain Josias Forster :—

London 1 January $16\frac{49}{50}$

*Capt fforster After our hearty commendations. Forasmuch as the time is now come on euery par*te to lay aside those *angry* Controversies *w^{ch} have prevailed soe long, and to seek only the good* of the Islands in generall & religeous *concord in p.ticular. Wee being now entrusted* wth the Gou^{r}ment, and a comission from the *Council of state, do earnestly desier to* the best of our skill to ymprove for the generall *welfare of the Plantation and the* encouragement of them that desier to feare God, *that authoritie wee possess. And by the power giuen* to vs wee haue chosen yourselfe our deputy Gou^{r}nor *and commander of the king's Castle upon* good reporte of your tendernes and vsefullnes to *the cause of the commonwealth. Wee trust* you wilbe very actiue and a wall to and for vs in seekeing the *good of the Company* and wee assuer you that to our power we shall encourage and recompense *your paines therein* Now you are to take notice that your generall letters to the late company *have been* some of them taken awaye or by some casualty lost, and therefore you *must not* expect from vs, now an answere to the particulars thereof, yet wee hope *y^r self and the* councill and all other sober minded people in the Ilands will fynd in *this that we looke* to your wants and desiers, soe far as they are in the compasse of our *meanes and* possibility and to begin with that w^ch ought to be indeed the beginninges of your desiers and endeavour That is y^r spirituall good to be carried on with faythfull teachers Our *paynes* and care jointly and severally to provide and perswade such men to you as yet hath not bin so successive as wee could wish, and wee think yt better for the peace of the people, to have holy and vnblameable men to be Readers in euery tribe the names of whom you shall place in that worke wee desier by the next Th*an to* have such corrupt and Turbulent persons vnder the pretence & name of ministers *as of* Late (contrary to our myndes) you have bin anoyed w^th : yet wee say not this a*s if* wee or you should be content w^thout able and preacheing ministers. And therefore wee haue written and sent already to the maiestrates of New England and churches there to *be helpfull* to you in this : and have sent you a coppy of our letters to be sent thither lest *they* otherwise should miscarry And we judge yt would be well if you did from *your* Iland expresse your owne wants and desiers to the same handes w^ch may add *some fur*ther motiues to some good men to come over to help you and *not to disappoint you* our purpose is to send now or hereafter some good man hence *if the Lord should* bring any such to our hands In the meane tyme we comend *vnto your* care *a search* throughout the land for such good men as shall by the good *help of the* Lord *be minded to labor* amongst you for the worke aforesaid.

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[1] See the attestation to a document dated January 9, $163\frac{6}{7}$, MS. vol. ii.

[2] Vol. i. p. 607. See also N. White's 'Truth Gloriously Appearing, &c.,' where he declares that Forster published the King's Proclamation, 'as he confessed, that he might vex them.'

[3] Vol. i. p. 658.

In the next place wee may take notice (properly) of that w^ch cometh next in order to the good of the people, we meane, the nurture of the youth *in letters and godlines.* Wee vnderstand from Mr Norwood that he is willing to quitt him *of his charge* and likewise wee here what hath bin presented by y^r Grand Inquest *concerning their* disappoyntment in that Schole And the remedy vpon the *premises, it seemeth to vs* is that from henceforth : That two shares of the schoole *lands that go best* w^th the house, shalbe for the vse of some man whom as minister *you* shall present vnto vs Provided that he teach the children *their rudiments* as well as the Grammer or any part of the Mathematicks *if a man in that* way able shalbe found : And for the other eight shares of school land *they shall be* by you the Gou^rnor and councell disposed on thus. A share to each of the *readers in the* tribes reckoning the towne for one, to be for the encouragement of any inofensive *men that* vndertake teacheing childeren in each Tribe and wee desier that accordingly you *present* vnto vs whom you do soe nomynate who will with this encouragement And the wa*ges paid* by the freindes of the childeren discharge this worke willinglye and diligently.

We shall now descend to the grieuances alleged by the Ilands, the restrient of trade especially, w^{ch} some thinke bondage And first we do assuer you that sundry of vs have *no share* in the trade, and all of vs (notwithstanding any such interest) do pr*otest and assuer you* within a safe and righteous way that such an Iland is [*not?*] capable of *engaging us here* spending and bin spent in your affayers hadwe not Really desiered your *good* To this end we desier you the Gou^{r}nor and Councell wth some others *such as* you shall thinke fitt to call to your assistance to draw vp proposals *for the better regulating of our magazine ships or the employment of others.*

* * * * * *

We pray you to keep in your eye the necessity of maynteyning some ministers *in the several Tribes.* when any come amongst you, also the state will exp*ect them to be entertained*, and reason requiers that some officers both here and there for the . . . people (*sic*) many other things we might present to your viewe but shall *at this time post*pone their considerations and our further debate wth any from you or y^{r} p*eople Wee* will now only add the uncertainty of shipping and the want of some *convenient Co*mittee to manage a small and sollitary plantation are soe great misch*ances That* your distressed neighbours in Eleutheria had not so sadd experience *thereof Such* liberty the lord avert from you in Bermodas, that your Iland *in no* sence be called Elutheria: And now we have mentioned that place we *will speake* of the banishment and other sufferinges of those and other people for their good affection to parlament and reformation: And we do hereby let you know that *those late* courses of the superstitious and Royall party are deeply resented by the greater *part* that are entrusted by them (*sic*): and the cold if not false proceedings of the *late Company* herein have very much distasted the gou^{r}ment here Therefore we requier *you the* Gou^{r}nor and Councell to state the matter of fact And giue report of some moderate way of satisfaction to the sufferers and also examyne and *report how* and from whom that great persecution and voyolence did spring whether fr*om orders* from hence or by the meere malice of Cap^{t} Turnor and Mr Tri*mingham and other* leading men in the Iland: And houeuer you were deluded by the late *Compa to beleive* the report and pretence of an Act of indempnity w^{ch} indeed they *did not even seek* for the Iland, yet wee shall manage the busines wth that tendernes justice and care *mak*eing a difference betweene principal Actors, and *they* that were *acted upon* deceiued or forced by *them.* Wee do alsoe hereby declare all those sentances of former Banishment to be vnjust *voyd* and null And do accordingly envite all the sufferers whether in your Iland or elswhere *ban*ished from thence to repaier to their *seu*^{ll} rights, and make thier complaints and *wee are* resolued to o^{r}power to make just and equall reparacons and this we desier may be notified to the partyes concerned, wee further think fitt that none of them that were in Armes for Charles the Second, may be hence forth (at least for these *ten yea*res) trusted in any office ciuill or military except wee shall see important *reasons* to trust any sooner.

We desier you to cause Capt Thomas Turnnor to pay that part of the late wre*cke that came* to his hands and belonges to the Company wth whose rightes wee are now *invested* And in case of nonpayment to secuer his estate vntill satisfaction *be given*, *and* to give an accompt of all lands that haue bin publique or so reputed *and enq*uier *if* that Land at Deep bay now in possession of Captain Wood were not publicke lands.

And whereas ther was an order sent ouer by the company for leuieing *a tax of three* halfepence the pound vpon tobacco vpon those who should trad wth any but *the* companyes shipp wee desier you to take an accoumpt from the *proper com*missioners how farr they haue proceeded therein And as for M^{r} Pitts or *any* others agaynst whome ther hath bin any legall course taken, you are to ex*amine* the matter of ffact and to certifye the same wth your opinion therevpon. And sh*ould permitt* noe further prosecution eyther vpon that or the Act of ban*ishment* vntill you shall receiue further order from vs:

We are very sensible of the publique officers neglect of the *amunition and guns w*^{ch} have bin by vs formerly sent ouer for the preservation of *the Islands* for wee haue not receiued any account how they haue ben *disposed of or* what is thereof remayneing or wher they are, *but to the end* That you may see wee value the safety of the Islands more than our owne *profits* Wee haue sent you by this shipp thirty musketts, thirty bandleers, and sixe hundred of match wee deseir that care may be taken thereof they be dis*tributed for the* service of the Islands. And that by the next wee may have an *account* thereof

Wee do likewise thinke fitt that all shipps *bound for Barbados or* to any other of the Caribbee Ilands shall ride in the towne harbor *for greater convenience* of searching them and veiweing of what they shall carry fro*m your Islands and* not lye in any other place to lade

Wee to our very great griefe & saddeing of our sperritt have receiued *information that* sins of drunkennes sweareing lyeing p^{r}phannes whoring extorsion *and other vices* do abound now in the Islands more that ever w^{ch} doubtles will draw *downe* *the* Judgments of God upon the inhabitants And that you that are in the Gou^{r}ment may not be partakers of their sins wee do hereby requier you to take speciall care and giue strict charg to the grand Inquest that they make diligent search & enquiry concerning such offenders, that the names of such persons may be presented to you the Gou^{r}no^{r} & councell whom we requier severely to punish such offenders according to Lawe

The late Company sent a commission to M^{r} Norwood Capt^{n} Jennings & others to make examynation of the Spanish wrecke[1] wee do now desier you to call to Captain Jennings for the said examynations & by the next to send over copies thereof unto us

Wee understand that the Houses standing upon the company's lands & upon the Gleabes are much decayed & the cedar & other woods growing upon the said Company's lands are very much wasted and destroyed wee do therefore desier you to take especial order that the tenants inhabiting the said houses be enioyned to maintayne the same in good repayre And that noe wast or delapidations of houses cedares & other woods be made upon the said Islands

Wee requier you Capt^{n} fforster that noe cedar upon any pretence whatsoever be *carried* awaye save only what shallbe for chists hogsheds & other caskes wherein Tobacco or *other* comodytyes of the growth of the Bermodas is packed notwthstanding any former warrant or warrants whatsoever

Concerninge the Appeal of Robert Dickenson Thomas fforster & Severall others in favor *of such* matters as hath bin sett forth in their petition presented unto us by M^{r} Edward Peniston *Wee* shall desier you to send the full state of the said causes & the proofes & examynations *taken* therein & two coppyes of all papers tuching the said causes that so we*may be the better* able to determyne thereof accordinge to right & Justice And the meane tyme *wee doe* requier that all appeales shall stand in force And no further proceedings *shall* . . . . be made therein until wee have receaved the coppy of the last generall letter, and a certificate of what appeales you have graunted And now *wee dir*ect for the futuer, upon any appeales allowed in your courte that *you do* certifie us of the proofes & proceedinges there: that soe wee may the better *take notice* thereof

Wee shall readyly receave all appeales allowed of by you & transmit*ted to vs* . . . . And willingly labor to do them all lawfull Justice soe if any man *shall make* his appeale from you^{r} court to us & shall not make good his *appeale without* good and sufficient grounds he shall pay such costs & damages as wee *think* fitt to order.

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[1] A ship laden with silver, wrecked May, 1642.

Wee recommend to you Capt fforster & y^r^ councell the case of M^r^ Leonard Ward *concerning* some land taken from him & his Tennants by M^r^ Thomas Turner late Gou^r^ner[1] w^ch^ desier the same may be enquiered into & certified *under a fo^r^mer* order A coppy whereof we haue sent herewith to you *Wee haue* chosen & appoynted M^r^ William Wilkinson to be Capt *of the ffort com*monly called the Kinge's Castle in the Somer Islands also *commissioner* in the roome & stead of Capt Richard Jenyns & do declare hereby *his commission* to be void & null And do requier you the Gou^r^nor *& Councell to put* him the said Captain William Wilkinson forth with into *possession of such place* w^th^ all the emunityes thereunto belonging accordinge *to the commission* wee haue sent herewith for that purpose *and to take an accompt of all* Amunition & other thinges *whatev*er belonging unto the said castle & cause a true coppy thereof *to be transmit*ted unto us

Wee haue chosen & appoynted M^r^ John Todd to be marshall in *the roome of M^r^ Jo*hn Stowe and requier you the Gou^r^nor & Councell forthwith to *see the s^d^* John Todd invested in the same w^th^ all the emunityes belonging to the *said place* for w^ch^ wee have sent herewith him a commission

Wee are sensible that some if not all the houses & lands belonging to the G*leabs and* publicke lands & some servants belonging to the Company are in the *possession* of *M^r^* Viner'*s* widdow,[2] M^r^ Vaughan y^e^ late Secretary & severall others, w^ch^ wee noe wise approve of and therefore do requier you the Gov^r^nor & Councell cause a stricte accompt to be taken of eu^e^ry part & parcell thereof, *what* rents hath bin paid for the same, & unto whom & how much in arreares *upon* the same is oweinge, and forthwith to take all & eu^e^ry part & person into y^r^ costodye except such as of right belonges unto any the off*icers*, and to dispose of so many of the houses & so much of the *lands among* such persons as have bin banished & are destitute (at reasonable *rates*) & for the rest of the houses lands & servants, to take unto your *care* & them cause to be ymproved untill you shall receaue further *orders* Wee doe thinke fitt & doe order that you Capt^n^ fforster doe call a*n Assembly and hold* Assizes before the ship returne

Wee doe likewise think fitt & doe order that a true coppy of *the late Company's last* generall letter to be transcribed & sent over unto us by the *magazine shipp* the orriginall being eyther conveyed away or lost whereby wee *are* uncapable to answer y^r^ desiers in any particular therein conteyned We do likewise recommend unto your care M^r^ Wages busines wc *we*

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[1] See vol. i. p. 624.

[2] Rev. William Viner, a Royalist minister, died in December, 1647.

pray you assist his lawfull attorney in all thinges that are just & right *towards* him & Roger Axen, wee haveing examyned the Articles & bond for *performance* of covenants

Wee are very sensible that many & needles vexatious suits are *brought in* your Courts against men And some throwne out of theire possessions by men of Troublesome spirritts: wee desier to be very tender in the *premises* As wee doe in noe wise desier that any man sholdbe defrauded *of his* due, soe also that none shold be sued before the cause haue bin *heard* before us here, or you the Gou^{r}er & Counsell there

We doe also comend unto you M^{r} Webbes busines he haveing br*ought* a certificate under both his Attorneys hands that no declar*ation hath been put* in agaynst M^{r} Pitts & his wife at the suite of M^{r} John Johnson Certyfied here in court by M^{r} John Thurlby M^{r} Pitt his owner

Wee have sent you a Barrell of Powder w^{ch} you shall receive of our magazine shipp for the service of the contrey

And now Capt ffo rster wee in testimony of our loue to you here you haue as a token the sume of Twenty pounds w^{ch} wee *haue desired* M^{r} Edward Poad husband of o^{r} Company to lay out in com*odities* Assuring you that wee do not approve of the hard lang*uage used* last yeare by the Generall Letter.[1] And that you shall fy*nd in vs* ffrendes to all those that loue Justice & righteousnes *And so wee bid* you hartily farewell

Y^{r} very loving ffrends

Nath *Rich*
Owen R*owe*
Joseph T*odd*
John Ox*enbridge*
Leonard *Ward*
Isack R*owe*

3. Captain Forster replied by the following:—

Capt Josias Fforster to the Honorable Company of Adventurers for the Sommer Islands 7 Sept 1650

Honorable Company,

Having an opportunity offered at present, I can do no less in discharge of my Duty, then present these few lines unto you, giving you to understand that your Magazine Ship the *King of Poland*, arrived the 22nd of *May* last, by which I received your Commission for the Government here, and was freely and peaceably admitted to the Place without the least interruption, contrary to the expectation of many here amongst us; for that in the moneth of *September* last the country in general rose up in Arms, outed Captain *Turner* of his Government surreptitiously gotten, placed in his room Mr. *John Trimmengham*,[1] forced Mr. *Nathaniel Whyte* and some others of his Congregation, to go with Captain *Sayle* to his New Plantation, who as we hear are all safely arrived: But Letters from thence certifie that the little Island they are upon, is a most barren Rock, shallow Earth, not hopeful to produce food for the Inhabitants, which hath stirred up the hearts of their Christian friends in *New England*, to manifest their exceeding Bounty towards them, by a charitable Contribution of at least six or seven hundred Pounds sterling, as I have understood by Mr. *Philip Chadock*, who sayled by our Island in *June* last, in a Vessel laden with all maner of Provisions and other Necessaries for them, in case they are in want.[2]

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[1] No general letters of 1648 or 1649 have been found. See vol. i. p. 622 for that of 1647.

Upon the Arrival of your Ship I made enquiry what quantity of the last years Tobacco could be found in the Countrey, and upon diligent search I could not hear of above Forty or Fifty Thousand at the most, wherefore the Master and we thought fit to lay up the Ship, and stay for this years Crop, which I hope will redound much to your advantage: For by the blessing of God I can assure you, that your Ship will have her full Lading of Tobacco which will be very good, if the judgment of men better experienced then my self do not fail: And be you assured, her dispatch hence shall be with all expedition prosecuted to the uttermost of my power.

It rests now upon me to give you Account of the present condition of the people of the Island, who (I thank God) are in a fair posture of peace, and very hopeful so to continue; for I have (by Gods blessing upon my weak Endeavors and extraordinary pains taking, and by my powerful presence in each Tribe, with publique Declarations) so prevailed with the people in general, that they vow and protest with one heart and voice for the future not to act ought that may any ways prejudice the peaceable Government of the Islands under you the Honorable Company and your Substitutes; But will in all things readily, willingly and chearfully submit unto all and every of your lawful Commands, and will with the hazard of their lives maintain your and their lawful Rights against all Opposers whatsoever.

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[1] See vol. i. p. 654.

[2] This statement is confirmed by the subjoined entry in the 'Wonder Working Providence, &c.' *sub.* 1651. A fuller explanation will be found further on. 'About this time the Lord was pleased to gather together a people in the Bermoodas, whose hearts being guided by the rule of the Word, they gathered into a church of Christ according to the rules of the Gospel, being provided with able persons,
indued with gifts from the Lord to administer Mr Nathaniel White
unto them the holy things of God, and after Mr Patrick Copeland
they began to be opposed their reverend elder Mr William Golding
Mr. Goulding came into these parts and from hence he went to England: but this little flock of Christ not long after being banished from thence, went to one of the Southern Islands, where they endured much hardship; and which the churches of Christ in these parts understanding, about six or eight of them contributing toward their want, gathered about £800 to supply their necessity: the which they shipped in a small vessel hired for that end and sent by the hand of two brethren both corne and other necessities; they arriving in safety by the blessing of God upon their labours, were well welcomed by their brethren. . . ('Wonder working Providence of Sions Saviour in New England,' ch. xi. Mass. Hist. Soc. Collections, Ser. II., vol. vii. p. 30.)

There is one thing more I must acquaint you withal, which is, That the Countrey will not admit of Captain *Jennings* to be Captain of the *Kings Castle*, according to your Commission; for that they have been informed, that he upon Treaty with other Gentlemen in *England*, hath condescended to give them admittance into our Harbor with Ship or Ships of force, whereby the Island may be lost, and the Government utterly destroyed: But for my part I hope better things of him, and do believe they can never make good their Charge against him, howsoever I and the Councel have thought good to suspend him from the Place for the present. This Ship brought with her Mr. *Pitts*, and other Gentlemen of these Islands, Passengers from S. *Christophers*, who do inform us, that meeting with certain Gentlemen of *Barbadoes*, who were either by the Government there sent out from thence, or voluntarily departed from their Plantations by reason of some troubles there; And upon discourse with the said Gentlemen, they were heard to say, That they were bound for *England*, from whence they doubted not to procure a considerable Force to suppress their Enemies there, and to repair their great Losses: And for the better effecting thereof, they would in the first place invade this Island, under pretence that some in these Islands were the Causers of their troubles, and so make this a place for their Recruit. All which in bounden duty I ought to acquaint you with, referring the premised Relations to your more Judicious and wise Consultations.

I remain,
Your ever faithful Servant,
JOSIAS FORSTER.

Sommer Islands,
the 7th *of September*, 1650.

4. The settlement of Eleutheria to which allusion has been made in the two preceding letters, and to which the Independents of Bermuda had been banished by the Royalist party in 1649,[1] has a history so curious that a

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[1] Vol. i. p. 655.

small space must be here devoted to it. It originated about the year 1646 with Captain William Sayle of Bermuda, who professed to have obtained a grant of the Island from Parliament. Captain Sayle's title was afterwards disputed, and the editor has been unable to find any confirmation of it in the Journals of the House of Commons; but it is certain that he and his son claimed and exercised, as far as they could, proprietary rights there.[1] Governor Winthrop states that Captain Sayle, wanting means to carry on his project,

> had obtained of divers Parliament men and others in London to undertake the work, which they did, and drew up a covenant and articles for all to enter into who would come into that business. The first article was for liberty of conscience, wherein they provided that the civil magistrate should not have cognizance of any matter which concerned religion: but every man might enjoy his own opinion or religion without control or question (nor was there any word of maintaining or professing any religion or worship of God at all); and the commission (by authority of the Ordinance of Parliament) to Captain Sayle to be governour three years, was with limitation, that they should be subject to such orders and directions as from time to time they should receive from the Company in England. Upon these terms they furnished him with a ship and all provisions and necessaries for the design, and some few persons embarked with him, and sailed to the Summers Islands, where they took in Mr Patrick Copeland, elder of that church, a godly man of near eighty years of age, and so many other of the church there, as they were in the ship in all seventy persons. But in the way to Eleutheria, one Captain Butler, a young man who came in the ship from England, made use of his liberty to disturb all the company He could not endure any ordinances or worship &c, and when they arrived at one of the Eleutheria Islands, and were intended there to settle, he made such a faction as enforced Captain Sayle to remove to another Island, and being near the harbour the ship struck and was cast away. The persons were all saved, save one, but all their provisions and goods were lost, so as they were forced (for divers months) to lie in the open air, and to feed upon such fruits and wild creatures as the Island afforded. But finding their strength to decay and no hope of any relief, Captain Sayle took a shallop and eight men, with such provisions as they could get, and set

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[1] See under date December 19, 1661.

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sail, hoping to attain either the Summers Islands or Virginia: and so it pleased the Lord to favor them that in nine days they arrived in Virginia, their provisions all spent. Those of the Church relieved them, and furnished them with a bark and provisions to return to Eleutheria. . . . . Captain Sayle, finding the Church in this state (a state of persecution) persuaded them to remove to Eleutheria, which they began to listen unto, but after they had seen a copy of his Commission and Articles (though he undertook to them that the Company in England would alter any thing they should desire, yet) they paused upon it, (for the church were very orthodox and zealous for the truth) and would not resolve upon it before they had received advice from us. Whereupon letters were returned to them, dissuading them from joining with that people upon those terms.[1]

The romance of this story has never received justice; but the experience of these advanced secularists affords little encouragement to imitators. Eleutheria became a byword for dissension, and served to point a moral from the outset. We hear no more of the Rev. Patrick Copeland, and he probably died there.[2]

5. The preceding letter from Forster, in which, singularly enough, he omits to acknowledge his present of 20*l.*, was accompanied by the following general letter from himself and the Council:—

Right Honorable Sirs,

Yours of the first of January, 16$\frac{49}{50}$, directed to our present

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[1] Winthrop's History, under date August 1648.

[2] As the reader may be misled by the Index to the Calendar of State Papers, Colonial Series, to suppose that Eleutheria was included in the grant of the Islands of Providence, Henrietta, and the adjacent islands, made by the Crown in 1630, to Robert, Earl of Warwick, and others, it may be here pointed out, that the Providence Island there granted was not New Providence, Bahamas, which would have included Eleutheria among the adjacent islands, but Old Providence in the Spanish main, not far from Cape Gracias de Dios, which is often referred to in connection with it. It now belongs to the Republic of New Columbia, but English is still the language of its inhabitants, who are all blacks. The limits of latitude defined in the grant include these islands and do not include the Bahamas. The limits of longitude also include them if measured, as it doubtless was, from Ferro. Henrietta Island is not to be found on any modern chart, but is identical with Andera, now St. Andrea, or St. Andrew's, about 1° to the south of Old Providence. How Old Providence and Andera, sometimes called Andros, of the Musquito Coast, came to be generally confounded with New Providence and Andros of the Bahamas, is a question which need not be here discussed. It has been carefully investigated by Mr. Noël Sainsbury, who has succeeded in tracing the error to its source.

Governor, came to his hands the 22. of *May*, 1650. and th next day his Commission was publiquely read in the Church, where he took his Oath in the presence of the Countrey, to govern according to your Laws and Orders.

(1) We most heartily thank you for the choice of so grave and so experienced a Gentleman to rule and govern us, and although the Government was quite out of frame and in a dangerous posture, yet now (blessed be God) there is such a willing and ready obedience from all the people in general, that the Government is reduced to its ancient bounds in a peacable, quiet and orderly posture, and I hope the Lord will so continue it, to our comfort and your good.

(2) We do thank you also for your Favor and Encouragement by your Present of £20 to our Governor, which was received in commodities; he had a very quick vend for all, especially the Sack staid not long upon his hands; we all helped to drink it off, for we knew it was paid for before.

As for your Order in placing of Officers, we have gone as near as we could, Mr *Painter* being out of the Land, we have continued Mr *Morgan* in *Southampton* Tribe, Mr *Wainwright* refused the place, by reason of some former Engagement to the Countrey when they were in Arms. Mr *Norwood* would accept of the Place, but he would not take the Oath with the rest of the Councel, so they excepted against him, and I took in Mr *John Turner* in his stead for *Devonshire* Tribe.

(3) We are given to understand that you are informed, that the people which are gone from us were forced away. Thus much we can assure and affirm, that there was never a Councellor in the whole Island that had any hand in it; neither did it appear unto us, that they had any desire to stay here; they might have all stayed, if but submitted to the Government. We do expect them daily here, for Mr *Philip Chaddock* is gone out of *New England* to fetch them off, but with what safety we can receive them, except they do submit to the Government we know not, yet we do intend to receive such as have any interest, and attend your further pleasure concerning them.

Your clemency in remitting former Miscarriages being timely published, hath not onely bound up that force, but hath also stopt the current of other more desperate proceedings.

(4) We have your Orders in transmitting the material Evidences in all Appeals. We have made seizure of all the Goods of Captain *Turner*, but can find no Spanish goods, and therefore have onely secured them here till further order. And as concerning the wreck, all plead they have accounted to your Commissioners.

The cause of your Ships long stay was no fault of ours; she came in very unseasonable, yet nevertheless she might have had a good Voyage to the *Barbado's* with Live-cattel, Beef, Pork and Fish, but it seems their Commission was not strong enough to proceed in that Design: We have always desired to have your Ship here before *Christmas*, and do still desire it, and so you may be sure of a quick Return.

There is little or no goods in the Countrey, it were well that a Store of goods were placed in the Town for the use of the Countrey, so should you be sure to secure all the Tobacco's, that none should be traded away from you, and for such goods as come over to particular men here, they come to the Planter at such an excessive Rate, that they are not able to pay for them.

The Inhabitants requested us to acquaint you, how that they have been long Petitioners to you for to afford them some Relief, and ease the heavy burthen that is taxed upon poor mens labor, by that insupportable Excize and other Taxes upon Tobacco, so that in conclusion the poor Planter's twelve moneths labor is swallowed up by Excize and Custom; But in stead of relief they finde a heavier load continually upon them. Consider their condition, and relieve them if you can, we leave them to your due and serious consideration.

(5) We have received three Barrels of Powder, 500 pound of Match, but no Colours, though expressed in your Letters. We shall be careful to put your Laws in execution for Powder from Ships arriving here.

(6) We have given order to M^r^ *Norwood* to take charge of the Books given by M^r^ *Barber*, which were left with M^r^ *Goulding*; M^r^ *Norwood* hath received them, being in number twenty four, and two Books which M^r^ *Goulding* gave at his death.

(7) You give us notice of an Order of the Councel of State for the sending home of Captain *Turner* and M^r^ Vyner, upon Examination of their Crimes and Misdemeanors; we have no written Accusation against them, so that it remains onely to secure the person of Captain *Turner* till further order, M^r^ *Vyner* being long since dead.

M^r^ *Hooper* is a very sickly man, therefore we beseech you consider our necessity, and send us a supply of honest able men. M^r^ *Pointal* came not to us, yet we understand that your intentions were real towards us, for which we give you thanks, and we hope you will not be unmindful to send us a couple at least by the next Ship; they may live very comfortably here, we have built a house in Town from the ground for one against he comes.

(8) You made mention of an Order from the Councel of

State for removing M^{r} *Vaughan* the Secretary, if we did see cause; Truly we see no other, but that he hath been very diligent and careful in his Betrustment, and very little Encouragement he hath, having had never a servant since his coming to the Place; And now he is married to a yong woman, the daughter of Mr. *John Tremmingham*, and more charges like to come upon him: A little Encouragement would do well, but we leave him to your grave consideration, not doubting but that you will be pleased to answer his expectation, for we do assure you, he doth take a great deal of pains.

We do likewise commend unto your charitable thoughts the Petition of M^{rs} *Vyner*, and that you will be pleased to signifie your pleasure concerning her unto us.

Postscript

Mr John Tremingham having charge of the Government when your commission came, did very faithfully in obedience to your commission, deliver up all things into the hands of our present Governor with the Castle and servants

(Signed) JOSIAS FORSTER
ROGER WOOD
J VAUGHAN Secretary HENRY TUCKER sheriff

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6. To the Honorable the Governor and Company of *Sommer Islands* Plantation.

The humble Petition of the Inhabitants of the said Islands;

Humbly sheweth,

(1) That whereas through the goodness of God these Islands for many years past have enjoyed a happy tranquility, enjoying Peace and Plenty under the Government of your Honors, the Honorable Company for this Plantation, whose constant care and endeavors, together with no little charge and expences, have been from time to time to protect and preserve us, according to his Majesties Letters Patents, King *James* of famous Memory, which we still desire may be the true Rule and Square of your Government, as that to this time hath been, and we humbly conceive will be the onely way to continue our happiness and your interests. And having had former experience that you have not ceased upon all occasions to be the onely Asylum, Sanctuary and place of Refuge for these Islands in general, or any Member of it to flie unto in particular in the

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time of trouble; We therefore being wheeled about into these times of Distraction, building upon your wonted Favor, to desire to present this our Declaration and Humble Request unto your Honors, and therefore not doubting of your Honors favorable hearing, and gracious answering our just Desires, we declare as followeth:

I.

That the Honorable Company for the *Sommer Islands* Plantation legally admitted according to the Letters Patents, is a lawful Power set over us, and that we do own them, and do and will submit to them.

II.

We declare, that we do not acknowledge, neither will we obey or submit to any other Commands to be prevalent here, then that which comes to us by or from the Honorable Company, and limited by the Letters Patents.

III.

We declare, that so long as the Company be suffered to act freely, and that no other Power interposeth them, we will willingly observe and submit to their Orders and Commands to us thus directed. But for so much as shall be imposed upon the Company by any power whatsoever otherwise then from the Honorable Company, we may not, we dare not, we will not obey or be subject unto them, but to the utmost of our powers withstand and oppose them.

(2) Further our humble Petition and Request unto your Honors is, That you would be pleased to confirm it there for the future, and to the Worshipful the Governor and Councel here; that they would be pleased to put these things following in practice for the present.

I.

That none be suffered for the future to bear any Office or Trust amongst us or command over us, that will not agree and subscribe to this; but that a watchful eye may be kept over them, and a careful observation of their Demeanor and Actions.

II.

That if any Command or Order do come to the Governor or Countrey from any but the Company, that the parties that send them, bring them, or divulge them, be censured as Disturbers of the Islands Peace, and that such Commands and Orders may be forthwith speedily suppressed and protested against.

III.

We desire further your Honors to consider our great necessity in the want of Ministers, and we beseech you to send us a supply of Orthodox men by the next return.

(3) Thus have we made bold to present unto your Honors our Desires and Resolutions, which we are resolved to live and die in, and to maintain with our lives and fortunes to the last drop of our bloods, and we question not of your encouragement therein, and of your utmost aid and assistance to so just and conscionable Resolutions and Endeavors.

And whereas some Malignant spirits of our own, together with those Fugitives that fled from the Island of *Barbado's* have threatened to take this Island from you and us, and to make this their place of Rendezvous, that so they may the better effect their Designs upon the Barbado's: We do therefore earnestly desire you, that since it concerns you as much as ourselves to use diligence, to prevent their Plots at home, and likewise to send us some store of Arms and Ammunition, that so we may be the better enabled to give them entertainment if they shall come, and to preserve this Island, your just Rights and Interest, and the Lives and Estates of us the Inhabitants, from the fury and rapine of any that should oppose us.

(4) Lastly, We desire the Governor and Councel that they would transfer these Desires and Resolutions of the Countrey by this Ship to the Company, and that they may be likewise recorded in the Office here.

RICH: HERBERT Captain &c.

7. It would appear that the transmission of the preceding letters was delayed, allowing the Governor to add the following:—

Captain Josias Forster to the Honorable Company of Adventurers for the *Sommer Islands*. 20 Decem. 1650.

Honorable Company

(1) My humble Service presented. Having in the general given an Account of our proceed. In the prosecution of all your Commands, it remains now in particular for me to hint something of myself: And therefore in the first place I do return you all humble and hearty thanks for the high thoughts you have had of me, in that you have honored me with the Government of these Islands under you, as also for your Present of twenty pounds worth of Goods, which I have received according to Order, both which are sufficient Ties of Fidelity to a meer

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Moralist; but to a Christian, chains of perpetuity: And such I trust you shall ever find me to be, as far forth as God shall give me Ability to serve you.

(2) I have in a former letter, which I hope has come to your hands, given you notice of the sad Condition of the Islands when I took my Place, and how it stood during that short time of my progress; I must now proceed to acquaint you what Success the Lord hath given to my weak Endeavors, in restoring the Government to its ancient posture of Peace; From a tumultuous rebellious People, perfidious Commanders, and a Rabble of a number of new found Seditious Agitators, we are now brought to a People resolvedly bent to Peace and Obedience, a Soldiery onely subject to my Command, if I may credit their Protestations, and an utter dissolution of that Fraternity of Incendiaries to our wonted Peace and Government, I and my Councellers being the sole Governors here as ever, under you the Honorable Company, I pray God grant me Wisdom to foresee future Mischiefs, and Courage to maintain what I have already gotten.

(3) There are three things in my judgement obnoxious to the present Government, and if in time by your Wisdoms not prevented, may beget new Troubles: The first and chiefest is the want of two Orthodox Ministers; 2. The want of the Ships being not here before Christmas; And lastly, the want of a Magazine of Goods from the Body of the Company, to be resident with the Officers at Town or elswhere, to be sold at reasonable Rates; for the people do find in general that the wonted prices be much raised by most of the Agents here, to the great oppression of the Inhabitants: If the Word do not convince, the Sword cannot reform; If timely Supplies come not at conscionable Rates, it will be a hard Task for Authority to restrain Trade with any Ship: I beseech you lay these things to heart. You acquaint me with an Order of the Councel of State to you directed, to secure the Persons of Captain *Turner*, and Mr. *Vyner*, and to examine the Crimes and Misdemeanors objected against them, and to send them home, together with the Examinations and Proofs; What their crimes are, or whereof they are accused, I know not, neither have I any Transcript thereof: As for Mr. *Vyner*, he is long since dead, and hath left behinde him a poor Widow much indebted, and three small children, objects of your pity and charitable consideration; And to send Captain *Turner* home without an Accusation or Proof thereupon, were in my judgement impertinent and improper; wherefore for the present I shall onely secure his Person here, and seize upon his Personal Estate to your use till further order.

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(4) I am required to send you an Account of the Servants belonging to the Colony, as also what number of Cattle, and quantity of Corn was left by Captain *Turner*. For Answer thereunto, you shall know, that I have received from Mr. *Trimmingham* then in place of Government, ten Cows and one Bull and eight Hogs-heads of Corn: And for the servants appropriated to my place, I have in all but fifteen Negro's and Mulattoes, whereof five Men-servants and the rest women; And of a truth I must tell you, that of the men I have but two that are able to do their labor, the other three in a maner past their work: For three of the women, if they dress their own victuals it is well. Here are three Negro's more, one with Mr Sheriff, and the other a small youth with the Secretary, and the third being a small girl, with Mr. *Fox*. I have a small youth about nine years old left with me by Mr. *Buckleman*, I bless God Charity bids me keep him, who shall not want whilest I have for mine own; the childe is tractable, and having neither Father nor Mother, deserves pity. Now my Request unto you is, That in addition to your former Favors, you would be pleased to bestow his time upon me, or to order me a certain Allowance for a few years towards his Education, in some measure suitable to the hopes I have of him; his name is *Thomas Simpson*, what his time is I know not. By all this it will appear unto you what a small proportion of Means will accrue unto me, to maintain the Charge of my Office. God knows my heart, I am not at the riches of this world, my desires are onely to preserve my dear Wife and children from misery and want after my decease, which must inevitably fall upon them, if I continue in this chargeable Place of Service, unless the Honorable Company shall constantly & yearly allow me a sufficient Salary of at least Fourscore pounds *per annum*, which I trust you will do both for your own Honors sake, and for the Dignity of the Place of chief Government by your free choice conferred upon me. I say no more but onely this, He that sacrificeth at the Altar, must live by the Altar, and he that spends his spirits and whole endeavors in discharge of Government, must live by that Government. I may say without any vain glorious boasting, I have hitherto waded throughout many difficulties, doing my duty diligently therein, and aiming at the Publique not mine own good, and shall for ever faithfully persist in so doing upon your continued Encouragement; and so do rest,

Your most humble and obliged Servant,

JOSIAS FORSTER.

Sommer Islands, the
20th of *December* 1650.

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Post-script.

Since the writing of these, here arrived two Ships from Sagatea,[1] which brought with them some seventy people, Men, Women, and Children, who desired to be received to their former Beings and Relations, promising obedience to the present Government; whereupon I called the Councel together, and having debated the matter, we concluded, That they should, as many as would, stay here, which we conceived could not be denied them in justice. Yet suddenly after some of the Commanders and other of the ruder sort of the people, gave out threatening speeches that they would send them all away, and to that purpose gave Powder and Shot to some of their Soldiers; but having timely advertisement thereof, I took speedy course to prevent their mischievous intent, and by the blessing of the Lord I so pacified them as that they did not proceed to Action, and for the present they are all at quiet, and I hope will so continue. Howsoever my Resolution is firm and unchangeable, rather to die in the just defence of your right of Government, then to comply with them in the least of their unlawful desires, so saith

Your faithful Servant

Jo: Forster.

To the Honorable Company of *Adventurers* for the *Sommer Islands*, These present.

8. It was apparently not until after this correspondence that the legal foundation for the momentous changes effected in the constitution of the mother-country was officially communicated to the colony.

At a General Court for the Sommer Islands Company holden at the accustomed place in Watling Street on Wednesday the 15th day of January $165\frac{0}{1}$[2]

Sir *John Danvers* Governor
M^{r} *Deputy* and others present

Ordered that the several Acts and orders of Parliament *viz* the Acts entituled An Act of this present Parliament for alteration of several Names and Forms heretofore used in Courts, Writs, Grants, Patents &c the 30 January 164$\frac{8}{9}$

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[1] Otherwise Segatoo, the same as Eleutheria.

[2] See the pamphlet entitled 'Petition from the Governor and Company of the Sommer Islands, &c., to the Council of State, July 19, 1651.' The 15th is probably a misprint for the 25th, which fell on Wednesday.

An Act Declaring and Constituting the People of England to be a commonwealth, and free state, the 19th of May 1649

The orders of Parliament for subscriptions to the engagement the 12th of October 1649

Another Act for subscribing the engagement the 2 January 18$\frac{49}{50}$ be put in execution in the Islands, according to the Limitations Powers and Provisions in the said acts and orders: and that the Company shall improve their Interest and Power for rendring the Islands duly obedient and serviceable to this commonwealth.

9. The 'oppressions' and 'strong oppositions from the Court party' referred to in the annexed petition of the Company belong to a much earlier period than we have reached. They originated in the intrigues of Count Gondomar, at least as far back as 1619, when we are told that

> the increasing fame of the Virginia Company and the wise management of it was carried into Spain, and caused no small alarm. The Politicians there saw, or pretended to see danger in the course of not many years. Virginia was too near them both by Sea and Land: and they did not know but the people of that plantation, when once a little settled, might perhaps be looking over the hills, and at length spy out their rich mines. Gondomer therefore had it in commission to have a special eye upon the Company, and the Managers of their affairs, and he was indeed a vigilant observer of his instructions He not only gained an absolute influence over the King, (James I.) but many great men about him, whom he had bought with Spanish money: these were very powerful, and well known at the Court by the name of the Spanish Party[1]

[To these machinations may be referred the correspondence given in vol. i. (p. 240 *et seq.*) That Gondomar drew no fine distinction between the Virginia and Bermuda Companies, which were composed of nearly the same persons, appears by his report to the King in 1621 that 'he had occasion of late to have a conference with the managers concerning a ship laden with silver, which was cast away; and that he found them subtle men, men of high courage, men who in no way regarded his master or their own'[1] His conference was with the Virginia Company, and the ship was wrecked in Bermuda. A long series of oppressive and crushing exactions, in complete variance with the spirit of their letters patent, justifies the present complaint.]

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[1] John Ferrar, in 'Memoirs of the Life of Nicholas Ferrar,' by P. Peckard, D.D., Cambridge, 1790. The cession of Virginia and the Bermudas was one of the conditions of Philip IV. in the event of the Spanish marriage.

(1) To the Right Honorable the Councel of State The humble Petition of the Governor and Company of the *Sommer Islands* [alias *Bermudas*], July 1651

Sheweth

That the many great oppressions upon the said Company, and their proceedings in former times, hitherto unredressed, notwithstanding their better hopes in the present Government, occasioneth your said Petitioners most humble desire, that your Honors will be pleased to take view of the state of their affairs, contracted in this annexed Paper of considerations, and thereupon to afford such timeous answer and relief, as in your wisdom shall seem agreeable to justice and publique Interest

(2) They likewise humbly present to your Honors consideration, the annexed Petition of some of the said Plantation, desiring shipping &c to transport them thither, together with a copy of an order of their Court, to give your Honors an account of their care, which they hope in due time will be as effectually executed, if they may be so happy as to obtain that encouragement as may enable them to proceed herein with vigour and resolution. Notwithstanding they desire no further to assert their particular Rights (which they believe you will account very great) then your Honors shall judge agreeable to justice, with publike safety and advantage

And shall Pray &c.

(3) CONSIDERATIONS upon the first constitution of the Sommer Islands Company and Plantation, together with the late Disorders and the present condition of affairs there.

The paper begins with a summary of the privileges conferred on the Bermuda Company by its charter,[2] and proceeds:—

And if these and such like Priviledges had not been granted to them 'tis no ways probable that any would have undertook at so vast expenses, a Plantation that was likely to bring in so little profit. Whereas that of the *Barbado's* hath made so rich and plentiful returns to the merchants and undertakers; this hath produced nothing hitherto to countervail those great sums that

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[1] See the same memoirs, p. 116.

[2] Vol. i. p. 83.

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1650-1658.

have been laid out upon it, but instead thereof strong oppositions from the Court Party here at home; insomuch that the Company being almost tired out with those frequent oppressions, seemed resolved to quit themselves of the burthen by the sale thereof, when it was suggested that the Dutch would give 100,000*l.* for the Purchase; and if the Court should seem unwilling to make them masters thereof, no doubt but they would easily condescend that it might be sold to the *Spaniard.*

The several Interruptions here at home produced many factions, especially in the Islands, which by ingrossing that small Trade of Tobacco &c from thence, sometimes by one Party sometimes by another were still heightened, till at last by those great changes here by the Kings Death, they broke out into open Hostility and Defiance, yet no blood shed, the greatest part of the Congregational or Independent way (so called) were banished by those then in Power, but by the now Governor which was constituted since are again received and live peaceably and quietly . . . .

[The document proceeds to urge (1) that the Company cannot have forfeited their rights and privileges, having disclaimed the disorders committed in the insurrection. (2) That the islanders have submitted, that their Governor (Foster) is well approved of, 'nor can there be thought to be in them generally such a spirit of malignancy as some would have it, considering amongst other particulars that might be instanced in, how stoutly their Magazine ship defended herself against those Pirates of Scilly that set upon her in her return hither.' (3) 'The great danger there might be, if all means of Reconciliation were denied them to put them upon some desperate resistance, or casting themselves upon some foreign protection, or becoming a receptacle for Pirates. (4) 'That though their rising up in Arms, and declaring as they did, sound high in some men's expressions, yet 'tis confessed by all, that this was carried on by the false suggestions of a few . . . . whilest the greater part were ashamed of their actions, when it appeared to them how much they had been deluded, and who have since submitted to the Company.' Lastly That the Company has the greatest share and interest in the settlement of affairs and may be relied upon to effect it.]

The State is therefore prayed to declare in such way as in their wisdom may be thought fit, that the Company may enjoy their Priviledges and immunities according to the said Letters Patents &c.

[Doubtless signed—John Danvers, *Gov.*, Owen Rowe, &c.; but there are no signatures given in the printed copy.]

(4) This is followed in the pamphlet referred to by a petition from Stephen Painter, William Rener, and others, reciting that they had been inforced from their relations and beings in the Sommer Islands, are in a state of penury (in England): praying that their peace may be made and themselves transported thither before they perish of want: representing also the want of godly ministers in that place.

(5) The Council of State appointed Sept. 30 a Committee of Sir Henry Vane, Mr Salwey and Mr Darley to speak with Sir John Danvers and Col Owen Rowe about the proposals given in by Col Rowe concerning Bermudas, and Report.[1]

10. Extract from the proceedings of a General Court of the Somers Islands Company, April 24, 1652.

A letter from the Governor and Council of the Somers Islands is read, and a committee is appointed to report upon the damage sustained by the company by reason of the Tobacco the chief Traffic of those Islands having been transported to Holland. The persons who exported the tobacco are to be proceeded against to compel them to pay custom and excise (Interregnum, Vol. xciv. C. P. 378.)

11. April y^e^ 29th 1652. At a meeting of the Comittee of y^e^ Sommer Islands Company, by order of their Court of y^e^ 24th of y^e^ same ('State Papers Colonial,' vol. ii. 1644-52, No. 50)

It was ordered

(1) That the Governour or Deputy w^th^ some others of y^e^ said Comittee shall at their first opportunity, and so from day to day crave audience fron the right Hon^ble^ the Councel of State, and there deliver the Order of Court, appointing y^e^ said Comittees attending on their Honnours &c desiring y^e^ same may be read.

(2) And next to present the letter from the Islands craving y^e^ favour it may also bee read.

(3) Afterwards to declare, that the Company not being at liberty the last yeare to pursue their usuall course of sending their ship or ships by reason of y^e^ Act of Parlement prohibiting the same, w^th^out leave frō the Councel of State, w^ch^ was not obtained till very late in the season; whilst a Dutch ship falling in w^th^ Comodities, when the Islands crop was ready, and

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[1] Calendar of State Papers (Domestic), 1651, p. 455. The Report is not given.

before the said Companies ship could arrive, most of the said crop was barterd, solde, or connivingly freighted for Holland, upon the pretences mentioned in the letter from the Islands, w^ch was to the prejudice of this State in their losse of Custome and Excise to the value of neere 1500*l* as wee have information, w^ch if the said right Hon^ble Councel of State shall in convenient time bee pleas'd to obviate for the future, by permiting the said Company to send their shipping in due time, they no ways doubt, but they shalbee able to prevent y^e Dutch from tradeing there hereaft^r.[1]

(4) Lastly, That y^e right Hon^ble Councel will give liberty for the seizing of any Holland ship that may come w^thin y^e Islands and by all just meanes to induce or compell satisfaction frō the Inhabitants, or Accessories in y^e case, whereby y^e States losse & y^e Companies prejudice may bee redeemed as farre as may bee duly effected.

John Mordaunt
Secretary.

12. Extract from the Record of the Assizes 8-9-10 June, 1652.

(1) William Worth of Sandys Tribe was tried and convicted of an unnatural offence, and suffered death on the 14th July The charges and fees paid in this instance will be found among the items of the General Levy for the year, and amount to 240 lbs of Tobacco.

(2) The Jury for the keepers of the comonweath of England do present Black Moll a negro woman servant to M^r Leikcaroft (Leacraft?) of South.ton tribe in the Som̃ Islands for that she in the month of Aprill or March last past in Ano 165½ did enter into the dwelling house of Nicholas Howe of the tribe aforesd And being there did ffeloniously take steale and carry awaie 2 holland aprons one wastcoat one peticoat one purse one pincushen 2 needle cases 2 Rings, one knife, one quoife 3 sheddewes 2 papirs of pins price together 7^s of the goods & chattells of the said nicholas Howe contrary to the peece of the comonweath of England and the dignity there of.

To wh indictment she pleaded not Guilty but being by the Grand Inquest found a true Bill for her further trial put herselfe upon God and the cuntry wch being a Jury of 12 men sworne found her guilty. But she acknowledging the fact was condemned to death Yet the country being then destitute of an executioner the Governor thought fitt to make her executioner upon the body of Worth abouesd & soe reprieved her.

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[1] See vol. i. pp. 668–672.

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(3) Another indictment follows of the same Black Moll for robbery in a certain House or cabbin' upon the Governors land —for which she was found guilty And was dealt with accordingly, as is abouesd.

(4) A few days later a warrant was issued to Black Moll to perform this office.

To wh. warrant the said Black Moll was obedient, and performed execution upon the body of Worth accordingly the 14 daye of July 1652

(5) A woman-servant of Mr. John Miller for theft is condemned to be burnt in the hand with the letter **T** (thief).

(6) Robert White presented for theft. Bill ignored.

(7) Henry Ward presented for witchcraft. *See* Appendix.[1]

(8) Alice How presented for stealing various articles of apparell, coming in the ship called the *King of Poland* from England To which she pleaded not guilty, but the grand inquest found it a true Bill, but because it was not cleare by Law that being done at sea, she was now punishable on land yt was suspended, and for former misdemeanours towards Mr Wilkinson and others she was adjudged to be duckt, wch was performed accordingly by the sherriff.

13. This assize of June 1652 was the first in which the Republican or Puritan party was completely in the ascendent. The reappearance in the Council of Mr. Wilkinson, Mr. Paynter, and others, whose absence has been so often noted of late years, is itself an indication of this; another is afforded by the inordinate length and altered character of the list of presentments by the Grand Inquest, which fill six closely written folios. The tops of all these pages are in the original too defective to be copied in full, but the following abstract conveys their substance:—

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[1] All the executions, and the greater part of the trials, for witchcraft occurred under the government of Captain Forster; but as indictments occur down to 1696, they are all brought together in the Appendix.

(1) A complaint against the method of making the Levies, and a petition That being yt is the Law of the comonwealth of England and the subiects priviledges for men to pay their subsidyes by their Lands or estates. And that yt hath bin consent to here both by the company and country, and also practised formerly and put in execution: that you will be pleased that yt may be no longer interrupted but to haue this course and the Inhabitants restored to their priveledge and libertyes, and euery man to beare his owne Burthen

(2) Wee the grand Inquest perceiueing what a prophane condition the Island is fallen into since wee haue bin destitute of preaching ministers soe that, that w^{ch} hath bin very rare, and seldome found to be done amongst us now is grown vsual and comon that is for men to saile and go abroad in their boats on the Lords dayes to the great dishonor of Almighty god, and danger of drawing downe the Judgement of god vpon vs and scandal vpon the Inhabitants who haue had the honor and *bene*fit of all these westerne Plantations to be a people of a sweete and religious Gouernm^{t} And this greate evil hath ben very much strengthened by the practice of the Dutch, yet wee professing otherwise and knowing how tender the Lord is of his sabothes, and that all the Judgements that came vpon the Jewes (the Lords people) was mostly for breache of the saboth, we do desier your worship that hereafter yt may not be lawful for any maner of person or psons for to saile abroad on the saboth day, vnles in case of need of a midwife or surgeon and that if any shall presume to go in boats on the sabothe day after notice hereof we desier they may suffer as prophaners of the saboth. and if it should fall out that any should be abroad, and did not come home in the 6 dayes that they should be constrained to stay there vntill the Sabboth was over (*sic*), and the officers of each parrish that looke to the liues and conversations of the people shall take notice of such offenders and present them at the assizes

(3) We the grand Inquest taking notice of diuers complaynts that are made of many wronges and trespasses that they suffer by a new practised way, men sending their servants and children for to digge crabes for bayt in Grounds who enter into mens pastor grounds, potato grounds or corneground, and never once acquaint the owners of the ground thereof, but they dig great holes vp to a mans thigh, and goe their waies leaueing them open to the great hazard of the breakinge of mens limbes if he passeth that way unawares, or in the night, or a beast may be subiect to do the like, they will enter into potato ground and do the like to the preiudice of their neighbours by spoyleing their prouisions: we desier of your worship that this great

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abuse may be remedied. And some instrument may be framed for the preuention thereof and that some penalty may be layd vpon such as shall after notice hereof is giuen presume to goe into other mens grounds in such a kind w^th^out leaue of y^e^ owner of the ground

(4) We the grand Inquest taking into consideration *the great and grievous destruction* of Palmeto trees for Bibby w^ch^ doubtless was at *the first innocently done by them who would* drink a cupp or the like, and then but of trees *growing vpon waste places, yet as* tyme and experience brings things to perfection soe now *not contented are they* But they say the highest trees yield the sweetest Bibby so that *none are safe and* the *best* Trees are cutt, But if this mischiefe be not *timely arrested* all *of our* trees wilbe *destroyed* And as we say, at the first, cutting of Bibby *was done but in mod*eration for to drink a cupp *or the* like: But now they have learned to de*still* yt into *aquavitœ* and so for to make *more* of yt that they now cutt Palmeto trees in *all manner of places.* Idle negros in all parts of the Islands cutt most. And although all the Inhabitants *knowe* well of what great vses these palmeto trees are of in this plantation and *that wee* could not *liue* wthout it, yet they not regardinge posteritye and aymeing at selfe ends by *making a* p^{r}fitt of Bibby by Aquævitæ. And although this cutting of Bibby was fores*een by the* last grand jury, And presented at the Assizes yet wee see noe redresse *nor remedy* thereof But rather increasing of their worke: Wee doe therefore desier and pray yo^{r} wor^{sp} and your council that some meanes may be found out to restrayne them *so that if* any shall presume hereafter to cut any palmeto trees only to distill into drinke vnles they be trees eyther ready fallen or that they haue a purpose to *cleare them off* to make vse of the ground, be fyned and he or they that shall informe against shall haue part of the fyne

(5) Presents the great increase and multiplying of all manner of disorders of late yeares and amongst these the sin of drunkenes which hath passed of late yeares almost without controule few or none showing any dislike thereof and it is like to be increased and maynteyned by *the signes* of the great provision there is made in euery place for keeping it vp. If the Lord do not as yt were contend with vs agaynst yt by taking our ffruits away w^{ch} we most humbly beseech him to spare vs them. Wee beseech your worship to take the matter into serious consideration. And put a newe life into the wholesome lawes w^{ch} are extant and are prouided against that sin of drunkeness. And that your Councellors in every of their respective Tribes be *zealous* magistrats and watch to shew themselves valient for the glory of God *Causing all* such offenders to suffer accordingly

(6) Against the common and usual custome of sweareing and by all sorts of people in these Islands. And very few that here yt take any notice or make any matter of yt, As though there were no harme in yt Although the p.phett of the Lord saith to the people of his tyme, because of oathes the land morne. And our Lord Jesus Christ saith Sweare not at all and he will not hould him guiltles that taketh his name in vayne and in fformer tymes Swearers have bin punished according to the Lawes in these Islands but now all thinges are out of course of a long tyme And men haue done what seemeth good in theire own eyes. And in consideration hereof wee humbly desier that the Lawes against Sweareing may be reviued and all Sworne officers charged to put the lawes in execution that all swearers may so suffer for yt that God may haue glory thereby and that there may be hope of the lessening of the horrible sin of swearing in these Islands

(7) That all Laws and Orders may be publickly read. At least once a quarter

(8) Wee the grand Inquest haueing taken into considerations the great dishonour that is done to Almighty God in these Islands by prophane and cursed sweareing, and haueing drawne vp a presentment about yt to y^r^ worship, ther was brought vnto vs by the honest church wardens of Deuon Tribe a paper written by M^r^ Richard Norwood counsellor of that Tribe concerning one Thomas Garraway which was taken from very able testimonyes that Garraway did sweare 20 oathes as itwere together, vnto wch sin the said Garroway is knowne and reported to be notoriously addicted, and doth without remorse continue therein, and besides the said Garroway is accused vnto vs by M^r^ ffrancis Watlington to be a prophaner of the Lords Sabboth [the Governor is prayed to take steps against him, and against one Richard. . . a most base deboshed fellow]

(9) One Thomas Adams is presented for most vnseemly immodest carriage to Judith wife of Rowland Greatbatch, wee doe desier that your worsp would take yt into your consideration for here are too many of such bould and impudent fellowes, that a moddest woman cannot enjoy herselfe in peace. And proceed against this fellow soe that it may be a meanes to daunt all other bould fellowes that shall here of yt from attempting any such wickednes as is to be feared be designed.

(10) Against the great sin of lyeing wch doth exceedingly abound in these Islands, soe that men are very much wounded in their reputations, as of late some of us have had experience And at present a complaint hath been made vnto vs of one John Sanders who goes commonly by the name of the Deuills Bricklaier because the deuill is a lyer and the father of yt: prays a

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remedy against such people who are comonly accounted worse than a Thiefe for we can look from a thiefe but not from a lyar.

(11) Presents one Francis Welman of Pagetts Tribe for a most horrid and impious speech ag^t our blessed Redeemer the Lord Jesus Christ such words as is scarcely knowne to be heard in an age, that one should curse his god. We need not mynd you What the Lord saith tuching that very thing to his servant Moyses: nor of that the Lord comanded to be done to the Israelitish woemans sonne whose father was an Egyptian. Wee know that your wor^p is tenderly affected w^{th} yt, only wee taking to hart that most patheticall speach you made to vs and to the whole country seasonably at the giueing vs our charg touching the many and great enormyties that this place is full of, and for to show your worship that we are so much taken w^{th} it, that we wilbe ready both now and also when we are removed to be aydeing what we can, according to your great desier to reduce this plantation to its sometymes godly Gou^rment, ffor your worship knowes very well that it is not because wickednes is commytted in a land that Gods $Judgm^{ts}$ are feared. But because wickednes is eyther countenanced or conniued at

(12) Wee the grand Inquest discerning the great discontent that is in many of the Inhabitants of these Islands Being that through the blessinge of our God we are encreased and multiplied to a great people, insomuch that now hereis no liuinges for vs w^{ch} comes to pass chiefly by the coueteousnes of some amongst vs who labour and striue to get as much land into their hands as they can. Joyninge land to land whilst there is no place for the poore, for as sone as any foote of land comes to be voyd, there is some that haue 2 or 3 shares already seeke to take yt And beinge able to giue a larger income than a poore man can they haue yt, so that diuers poore men their wiues and children haue noe where to sett their foot: wee wish and desier that your worship would order it that no one hence forward should be suffered so to enlarg themselues, when as they see and know that other honest poore men want land . . .

(13) One Henry Gaunt is suspected of being unnecessarily conversant with negro women—that he hath giuen them guifts and if he hath not left his familiarity with such creatures, it is desired that such abhominations be enquired into, least the land mourne for them.

(14) It is presented as a great greivance that when industrious men are minded to plant any rarityes of fruit in their grounds they are not allowed to enjoy them, which doth much discourage them, and will end by some fruits being worne out of the Islands. This is chiefly attributed to trespassing by fellowes children and it is prayed that if their parents will not give them correction the marshall may.

(15) Wee the grand Inquest taking notice of the vnhappy diuisions that hath fallen amongst vs the Inhabitants of these Islands w^{ch} hath come to passe by the misgovernment of yt cheifly. We doe in all humblenes beseech y^{r} worship and your counsellers that you will take yt into your consideration and thinke of some course for the composing of these our differences and distractions w^{ch} diuers by reason of their seeking by Law to recouer againe what hath bin *taken* from them. now we partly knowe that most of them w^{ch} they seek to deal *withal* for yt had the least share of yt, and that y^{e} chiefe actors and doers and workers of these troubles are not in beeinge We gathering by circumstances and discourses w^{ch} we have had with some of them so that all differences might be reconciled, and that we might all live at vnity peace and concord amity loue friendship as formerly we haue done wouldbe willing each man according to their abilities to giue a rateable proportion of what they haue to make vp what they haue taken from them. Although hundreds of them had neither hand in yt or share in yt But were forcedly compelled to be seene in the busines. And so this o^{r} desier is that your wors^{p} would be pleased that a certain number of moderate men of both parties, may haue commission to compose this difference, and settle some way for the effecting and accomplishing of this good motion so that peace and loue may be procuered amongst vs w^{ch} is much to be desiered

(16) A presentment of the last ship bringing salt that she would not sell it by water measure [1] Although deliuered vpon the water, wherein we take ourselues to be not well dealt withal by him Therefore wee desier that for the tyme to come that what ship or ships shall come in here and bring salt may know that yt is our priviledg, and custome to haue water measurr from them, for as they looke to haue our Beefe and our provisions at a settled price, soe wee looke to haue that comoditie accordingly, and this we desier your worship may be settled with us for a law and order

(17) Lieut John Crosse is presented for wasting his landlord's tymber—commissioners appointed to assess the damage

(18) As there are through all the world warres and rumours of Warres, it is presented that the defences of the Island be looked to

(19) Three couples are presented for immorality, one of them sentenced to 31 lashes apiece upon the naked back.

(20) * * We haue sate in court all this weeke expecting to receive some complaynts from the Officers of each tribe and haue not receiued any but one from Deuonshire tribe, and a

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[1] The meaning of this phrase is now unknown in Bermuda.

complaint concerning lying from Henry Jones who stays to prove it, only some incontinencies. whereby some may say yt is not as we haue informed. The Governor is prayed to devise a way to procure a more active supervision, so there might be some hope of reformation among us.

Signed Robert Kesteven Roger Cox
Robert Pulford Thomas Griffen
Michael Burrowes Jeames Harman
Samuel Beadle Edward Sherlocke
William Bullock Humphry Harvey
Marmaduke Dando William Lindith
Charles Sothworth

(21) Seven presentments follow, in which the parties are bound to their good behaviour.

(22) Francis Welman, presented *ante* N° 11, is brought up for judgment, and sentenced to stand in the pillory with his offence written on a paper with capital letters, and to be bound to the good behaviour. Some of the 'censures' of members of the Court are exceedingly barbarous. It was proposed that he should be branded in the forehead with the letter B for blasphemer; should have his tongue slit; should have his tongue cut, and finally should have a 2-lb. weight hung by a hole through his tongue!

14. A Proclamation by Governor Forster, July 26, 1652.

The Grand Inquest having obserued the many and intolerable inconueniences . . . . and dangers, that hath for a long Tyme bin tolerated and winkt att in these distracted tymes tending to the preiudice of the publique peace and welfare of these Islands. And also the great dishonor unto almighty god by the exorbitant and p^{r}phane courses that many doe run into excessiuly w^{ch} ought carefully to be laid to hart of all men. And to the more ready helpers for the preuention of such euils for the future w^{ch} else wilbe ready to reviue & run like a streame that will not easily be stopped and at length draw downe the fludgates of gods displeasure upon the land wherein wee live after soe many warneinges from his fatherly hand wh. If we had hearts but to consider & eyes open to behould them impartially and to owne them with humility of spiritt, doubtless they would be stronge motives to stirr all men up to the work of reformation both in private and in their families and for the publique tranquility of the Generall, as also for the Appeaseing of gods wrath w^{ch} may justly be expected w^{h}out tymely repentance. The serious consideration of such thinges as these hath for a long tyme offered much grief to my spirritt wthin me. But now ffinding the Grand Inquest (who are the eyes of the land) to jump with me in my present consultations, I haue great cause to Blesse god therein. And haue thought fitt with the consent of my counsell to publish in your eares such thinges as may tend to that Great worke of reformation w^{h} shalbe cheifly set forth as ffolloweth (viz.) Ffirst I doe require that every Councellor respectively doe cause the abridgement of the Acts & orders to be publickly read every quarter in some publique place within their Tribes. Soe that none may plead ignorance and say they know not the law Secondly it is stricktly required that noe manner of person or persons shall presume to enter into any mans grounds or part thereof wthout licence from the owners either to digge Crabbe[1] or to gather hogsmeat or upon any other manner of pretence what soever upon payne of paying ten pounds of tobacco for euery such offence committed by a major. But if he or she be a seruant or a childe then to be emediately carried to the Justice or constable ffrom whom they shall receive correction by whipping without remission This to be done after Lawfull conviction about such offences Thirdly that all such as keep Tippling houses or any other that shall after the publication hereof, suffer inordinate drinking within their houses take speciall notice that all such penall Lawes w^{ch} have been formerly held forth & are in force against that sin of drunkenness shalbe severely inflicted upon such offenders And also all such persons as shall accustome themselves to Blasphemy—Swearing—Lying & Cursing shall be proceded against in the stricktest course of Justice wthout delay according as the law hath in such cases provided

Ffourthly yt is required that the comon Prophanation of the Lords day by sailing in boats & travelling by land, be utterly forborne by all manner of persons of what quality soever, and whosoever shall offend therein after the publication hereof shall likewise be proceeded against as justice shall require and because none shall presume that excuses shall prevaile It is stricly required of all *who are in Authority*. . *also* That if yt shall fall out that any man or woman *journeying be* straightened of tyme so that they cannot return to their *abodes* on the satterday Then yt is required that they shall staye & spende their Sabbath in that place where they are, *except* only they can reach to their owne Parrish Church by the beginning of the morning

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[1] Land crabs, which are still abundant in light soils near the sea.

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exercises Nevertheless yt is not my intent hereby that any shall be restrained from ffetching a middwife or chirugion or to doe any charitable Act on that day

And ffifthly whereas formerly there hath bin a prohibition from *cutting of* Beeby trees yet notwithstanding men and women did presume to p^r^ceed therein more than formerly by distilling it into aqua-vitæ I do agayne require all manner of persons not to proceed herein especially in distilling yt as they shall answer the contrary at their perrill, and of these things I shall require a stricte accompt (as for all other offences of this nature) of all that stand in place of Justice of these Islands Wherefor I doe require all the severall counsellors in their respective Tribes wth all the constables & other officers of the church that they take heed to their severall *charges* and to bestirre themselves like men valiant for the Lord his truth & glory, and see Justice truely & duely done w^h^out partiality or respect of persons and in soe doeing they shalbe sure to fynd me assisting them in any of their *proceedinges* that shall tend to the glory of god in the due execution of Justice, And of these things let eury take especial notice as they will answere to the contrary at their perrill Giuen at Georges Towne this 26 July 1652[1]

Signed Josias Fforster

15. At a General Court of the Somer Islands Company holden at the accustomed place in Watlinge Street on Tuesday the 5th day of October 1652.

The petition of Doll Allen setting forth that her ffather William Allen out of his tender care and Fatherlie affection, did bring her vp from her cradle vnto fifteene yeares of age Duringe w^ch^ tyme she had the priuiledge of Christian people, and now being at Woman's estate is taken from her father, and reputed a perpetuall slaue, and therefore prayeth the Hon^ble^ Company, since it hath pleased God to set a distinction between her and heathen negroes, by p^r^uidentallie allotting her birth among Christians, and making her free of the Ordinances of Christ. that they will be pleased to restore her that ffreedome which is due to her ffathers right, and giue her libertye to dispose of herselfe in such seruice as she maie find most proper for her condition: vpon consideration of w^ch^, I[2] thought fitt to produce a former order of last yeare vpon the petition of the said William Allen, In which it was ordered that he should haue her tenne yeares after her age of tenne yeares, with the tyme he had her alreadie since she attained the age of tenne yeares, in liewe and recompense of the tenne yeares that he had bred her vp from her infancie: the same being reported from the grand comittie to the court, and their opinion thereof that they adhere to the said recited order. Which vpon the question being putt to the vote the said committees opinion was voted to be confirmed in court, and ordered accordingly

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[1] The Puritan fashion of dropping the title 'Saint' now appears, the place having been always heretofore designated St. George's.

[2] Probably the secretary.

Examined by me JOHN MORDANT Secretarie

16. Extract from the Record of the Assizes, December 7, 1652.

Presentments

(1) Criminal assault on a child. verdict not Guilty

(2) A negro man, servant vnto John Young [no name recorded] for stealing a piece of red cotton value 3*s* from the dwelling house of John Smith found guilty, and for his fact the Gouernor did pronounce sentance of death vpon him. But yet by the Aduice of the councell and consent thereof his life was prolonged, and the said condempnant made common executioner vpon his amendment of life and not otherwise

(3) Elizabeth Middleton is presented for witchcraft. *See* Appendix.

(4) Wee the Grand Inquest Taking notice of the great murmurings of many of our Inhabitants as tuching the gleab lands Being that the founders of this comonwealth were carefull to lay out and appoynt such lands for the encouragement of godly ministers, and now it falling soe out that wee haue bin destitute and without any for some tyme, Wee desier that some care may be taken for those lands, so that the fruits and prfitts that doth grow due from them may be gathered into stocke against any that shall come over for their Intertynment, for lett them come over never so well furnished yet yt is like they wilbe in want of many necessaryes wch will be needfull in this place.

This Presentment being taken into consideration yt was Agreed that all the Gleab rents for the tyme to come shall be expended in necessary provisions for any ministers that shall hereafter come among us and is left the Gournor and Councell to dispose as they shall think fitt for the purposes aforesaid

(5) Wee the grand Inquest doe present that whereas it comes to passe that sometymes Shipps fall upon these Coasts and are distressed, wh when our Inhabitants doe perceive they

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presently goe aboarde them & then by fforce and in a voyelent way Take & carry awaie what they can come by And fall A cutting & haleing downe the Rigging Tearing downe the sailes even to the Amazement and the astonishment of the shippes companyes As was of late done to a shipp wherein were several of our cuntreymen. To the great dishonor of Almighty god whose *name* wee make pfession on. And to the shame and disgrace of this Plantation : who have had report abroad to be a mercifull & loving people : ffor in the Government of Captaine Roger Wood A spanish Shipp falling vpon our coasts being wrecked found very Christian like dealing from us. Soe that they coming after to Porta Rekoe gave such a gallant report of the usage they had amongst the Bermodians that then ther being diuers of our Contry prisoners were presently sett at Liberty & sent away wh money in thier purses : Who when they came home to our nation reported how friendly they were used by the Spaneyards because their Cuntrymen had received soe good quarter at Bermodes But since whether it be by reason of that unparaleled and Barbarous President giuen in the last Spanish wreck to a company of wreckt Spanyards or from our owne base coveteousnes not considering that eury man hath a ciuill right to his owne goods, or what it is, wee all know that S^{t} Paul found & mett wh better dealing amongst the Heathen folkes, for he saith, the Barbarous people shewed us no little kindness for they kindled us a fier & reciued us every one And when we departed laded us wh such things as were necessary We therefore taking this horrible Barbarous And most unchristianlike action into serious debate and consideration, and observing that at such tymes through the eagerness of covetous mynded persons both law Government & honesty is trampled under foote, besides future troubles of suits of law & other inconveniences which do follow desier yt some strict and speedy course may be taken to prevent such mischief for tyme to come

It was then ordered that a proclamation should yssue forth for the restrayning of this euell.

(6) The Grand Inquest take notice of the number of neglected children whose parents keep them at home and will not hear of putting them forth as servants that they may be brought vp in some honest labour or calling according to the Law and coustomes of the parrishes in England It is petitioned that every Tribe or Parrish may haue power to put them out to service whereby they may be kept from Idlenes which is the root of all mischiefe. This p^{r}sentment seriously debated yt was concluded yt should be put in execution according as yt is provided in like cases by the Lawes of England

(7) Wee the Grand Inquest takeing into consideration the great discontents that is vpon the *minds* of all the Inhabitants of these Islands concerning the ffree schoole that is errected amongst vs: for that the donations and guifts of the Pyous and hono^{ble} Benifactors w^{ch} founded this schoole, is not expended according to their good intentions, w^{ch} was for the good of the poore Inhabitants that their children might be brought up in Learneing Now the desier of our people is to haue their children read English, to write and Sipher and whether the Scholemaster be willing to take them that is not in their Accidence wee are not certeyne. But this it is That this ffree schoole is soe situated that Parents are not able for to send their children 5 or 6 miles to schoole and to pay for their dietts and Lodgings now we understanding that this our aggreevance hath bin by the Grand Inquest formerly presented and not heereing of any effect yt hath taken wee doe here once againe p.sent yt And do desier yo^{r} worship and yo^{r} councells favour and countenance That this our complaynt may be transmitted to those noble Benefactors towards this free school. And to entreat that they will be pleased to take our estate and condition into their consideration: and for this ten shares of Land which is at present in the occupation of the ffree schoole. To appoynt eight of them to the eyght parrishes w^{ch} are here beside that where the schoole is seated: that soe by this meanes euery poore man may haue good thereby. And then some honest able men wilbe encouraged to vndertake to teach their children in euery Parrish at easy rates, w^{ch} now they cannot haue yt as they desier w^{ch} is a very sadd thing.

This complaynt to be transmytted according to the request of the Grand Inquest

(8) Is a recommendation of — Johnson, schoolmaster of Pembroke Tribe, for some favour in connection with the glebe lands.

17. A Proclamation by Captain Forster, January 29, 165$\frac{2}{3}$.

(1) The hono^{ble} Company haveing by this magazine shipp transmitted seuerall orders to be forthwith published in euery Tribe to the people of these Islands That thereby they may the better vnderstand their pleasures concerneing their generall affayers of w^{ch} I do require all manner of persons to take notice accordingly. w^{ch} are as followeth.

The company taking notice of the trade with the Dutch the last yeare, how their magazine shipp was thereby disappointed

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of her freight, the state of their Rights and themselves of their dues, for prevention of the like They have at a Generall Court held for the Som. Ilands the 5th day of October 1652, ordered that all those that did trad with the Dutch or send any Tobacco to Holland by the said shipp, as well such as are now in England as those that are in the Islands shall pay the companyes dutyes for the same at the rate of a peny halfe peny in the pownd and a commission to be directed vnto Capt^{n} Richard Jennings: M^{r} Wilkinson M^{r} John Hall. Capt . . . or any three of them [to ascertain upon oath what quantities of tobacco were sent into Holland and to levy payment. *MS. defective*].

The same day it was further ordered that whosoever shall hereafter promote, contrive, or abett, or endeavour to promote contrive or abett any trad or commerce with any nation or ship for tobacco, except the London magazine ship sent from the Company, shall be banished and expelled from the Islands for euer

(2) The company being sensible of the great abuse of destroying cedar and how *often it is* conveyed and carried awaye by seu^{r}all persons by shipps *wthout* the prouidence of the owners of land who desier to haue it preserued, haue ordered that their magazine shipp shall take in no cedar without their special order or warrant, and haue engaged their present captaine of their shipp in £50 sterling if he act to the contrary

(3) It is ordered and specially requiered that all due care be had for the planting of Cedar. And to preserve Tymber: and that prices between neighbours be also carefully maintained and preserued

(4) Capt Thomas Burrows haveing made tender of his services to the hono^{ble} company about the Advancement of the price of Tobacco to the value of 2 or 3 shillings in the pound or more, and doth require One hundred pounds sterling for his paynes when he hath taught yt to the people of the Islands The Companyes answere to this is That when M^{r} Burrowes shall but advance the price of Tobacco by his skill and industry as aforesaid but to 2*d* in the pownd he shall haue an answerable allowance for the same As yt doth more at large on the said order appeare This was ordered the 24th day of October 1652

Dated at Georges Towne the 29th of January 165$\frac{2}{3}$ } (signed) JOSIAS FFORSTER

You are to take notice hereby also that the magazine shipp is to stay but 30 dayes, and then to sett saile

18. The Generall Levy for this present 1652 was cast vp and found to be 3757 lbs, w^{ch} was levied vpon the

shares, wch by p.portion came to each Tribe 470 lb and to each share 11 lb. tob. And payd accordingly by the severall counsellors except Devonshire tribe who fell short by reason Goody ffrith *als* Turner was gone, and not able to pay, and some others that did not pay; w^{ch} levy tobacco was disposed of as yt was ordered at a counsell Table as followeth

	lbs
To the castle souldiers .	2350
To the fferry . .	600
To Higgs . . .	100
To the mount keeper & crier . . .	200
To George Hubbert for mending the bridges .	100
To the Marshall for the diett of Worth . .	50
To him for bringing down plankes . .	30
To him for the Castle boat	200
To Joseph Goodfaith for work . . .	100
To Laurence West for the fflatt's bridge . .	60
To Richard Sutch for saweing plankes for the Publique . .	48
To Robert Powell for worke done . .	118
To him more for makeing shingles and diet	84
To Myles Pert for work done for the pub. 54 days, wth diet by himselfe. . . .	390
To the Gou^{r}nor for nailes and brickes . .	152

	lbs
To Geo Wells for pub. worke 51 dayes with diet	250
To the sherriffe for ffee in executing Worth .	150
To the making his graue . . .	20
To Thos Steed for making the Gibbet . .	20
To Capt Richard Jennings for diet and entertaynm^{t} of the Guarders & Prisoners	100
To 3 men to guard vp the Prisoners . .	45
To other guarders at the prison doore . .	24
To Larance Pitcher for worke publique. .	16
For other gen^{r}all work at Georges about the Gou^{r}nors house. .	75
For water caske & a payle at the castle . .	48
To Joseph Hudson for 15 days work done . .	60
To Nicholas Bagley for 50 days work done with diet for those dayes .	200

19. At a Councel Table held at Mr. —— house in Pagets Tribe, *April* 1653, being present Capt Josias fforster *Gou^{r}* Capt^{n} Roger Wood Mr Wilkinson Mr Richard Norwood Mr John Wentworth Antho Jenour *Secretary*.

(1) It was ordered that the *Court* be *againe* held the 3rd

day of Maye 1653 for the trial of John middleton who is strongly suspected of witchcraft and that Jurymen be chosen and summoned downe to serve for Middletons trial. Yt was also thought fitt that some grand Jurymen which served at the last assizes held in December 1652 should serve at this court also And that one person *more from* each Tribe be warned for this service, and that warrants shall yssue forth immediately for this purpose w^ch^ was done accordingly [see Appendix for this trial]

(2) It was then taken into consideration what inconveniences doth insue by reason that Spanish moneyes do not pass betweene party and party as formerly yt hath done And *being maturely* debated yt was ordered that pieces of eyght shold pass for 4*s* per piece for current payment betweene man and man, so that they do not appear to be apparent brasse or copper And alsoe all other Spanish to passe as formerly without refusal by any manner of persons.[1]

20. A Proclamation, April 26, 1653. By the Gouernor.

(1) I haveing Lately receiued Intelligence of the disobedience of many people amongst vs Albeyt ther hath been diuers made & published for the restraineing of severall abuses hopeing a calme and moderate way might haue prevailed & perswaded and drawne men to liue together in peace and righteousness But I find the contrary to my griefe so that I am constrayned agayne and agayne to provide for and publishe the same things, w^ch^ is enough to stirre the spirritts of men to execute the strickest course of Justice Especially when they shall see and here the Lawes and orders slighted and contemned by euery younker It moves me to thinke that there is not that watchfullnes and care w^ch^ there ought to be in the older sort of people such as parents and masters, by way of prevention. It is not long since I sett forth a proclamation *forbidding the* going over mens grounds without licence *but I* here ther is noe forbearance but *on the contrary it is worse* than formerly . . . . [he proceeds to renew the orders, *MS. defective*].

(2) The Grand Inquest at the last assizes observing the fondness and folly in many parents over their children who choose rather to marry and *bring up children* in idleness then to make provision for theire Trayneing up in some manuell occupation whereby they may be kept from sloth and lazines,

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[1] The piece of eight reals, now called a dollar, is intrinsically worth 4*s*. 2*d*. English. It remained current at 4*s*. until August 1, 1658, when the exchange was raised to 5*s*., which was reaffirmed in 1662. Latterly it passed in Bermuda at 5*s*. 4*d*. currency, or 3*s*. 2*d*. sterling, but has now disappeared.

but alsoe made able to get their livelihod by some commendable course of life And these parents being destitute of competent lands for their subsistences are constreyned to suffer them to fetch hogs meate—wood—figgs and the like wher they can find yt to the great offence and preiudice of their neighbours whom they dwell amongst These are therefore to requier all councellors and other officers to take especiall notice of all such parrents & children and make report of them from tyme to tyme as ther shalbe cause to me the Gouernor That there may be a speedy redresse to such euills And provision made according as the Lawes of our nation hath provided in such cases

(3) It hath bin taken into consideration, how that pieces of eyght and other spanish coyne hath bin generally refused (lately) in payment amongst the Inhabitants of these Islands w^ch^ hath made a stop of that comfortable commerse w^ch^ hath formerly bin betweene party and party and finding the want hereof to carry along w^th^ yt many inconveniences It hath been considerately weighed by me the Gouernor & Councell [that pieces of eight, unless only they are brass or copper, are to be lawful tender at 5*s* each. *MS. defective*].

Signed Josias ffforster

26 April 1653

21. At a Court held the 3rd Maye 1653 at Georges Towne John Middleton of Sandis Tribe is indicted on a charge of witchcraft [as ordered *ante*, p. 40]. *See* Appendix.

22. Order of Council of State, 21 May, 1653. Interregnum Entry Book, vol. xcvii. C.P. p. 402.

Colonels Bennett, Nathaniel Rich and Philip Jones, Cornelius Holland, Col Stapley Lieut Col Kelsey or any three of them are appointed a committee to consider the present condition of the Somers Islands. The Petition of Leonard Ward and Joseph Todd on behalf of the well affected of the company of the Somers Islands is referred to the Committee for that business All papers delivered to the council of state concerning the Somers Islands are also referred to that Committee, who are authorized to confer with any persons concerning the present condition of the Islands and to prepare something for settling the government there.

CHAP. XI.
1650–1658.

23. Extract from the Record of Assize, May 1653.

Wee the grand Inquest taking notice of the great quantity of strong Drinkes wh are brought into these Islands from the Barbadoes to the great Impoverishment of the Inhabitants & alsoe for the increasing of prophanes amongst us, do desier that yf there may not be any restraynt nor prohibition hereof that then such a price may be sett for selling yt that may discourage any person to bring yt or send yt hither, as 4s the gallon and that yt may notbe lawfull for any for to sell yt dearer that shall come hereafter.

[An order to the above effect follows.]

24. Order of Council of State, 25th June, 1653. Domestic Entry Book. Interregnum. No. 97, p. 411.

That a Comission be granted to Cornelius Holland Esqre, Colonell Owen Rowe, Sr Thomas Wroth, Francis Alleyn Esqre, Dr Aaron Gourdon, Maurice Thomson Esqr Mr Wm Jessop, Mr John Oxenbridge, Mr Edward Pead, Mr Leonard Ward, Mr Joseph Tod, Mr George Turberville, Mr George Prynn, Mr Edward Carter, Mr Elias Roberts, Mr Mathew Batson & Mr Nathaniel Hawes, or any three or more of them, whereof the Governor or Deputy to be one, To be a Company for governing & carrying on the affairs of the Somer Islands als Bermudas, and to have the same powers & privileges, as the former Company had.

This commission was issued June 28 (C.P. p. 405), and recites that 'Several well affected persons in the Somers Islands have been much oppressed and vigorously and vnjustly dealt with, in relation to matters of conscience and the worship of God, contrary to the privileges granted them, and receiving no reparation for their great sufferings, the above are appointed a Company for governing the affairs of the Islands, with powers similar to those formerly granted by the Patent of King James.' The order appears to be an act of disfranchisement on a large scale, for by the patent of King James[1] the Company of the Summer Islands consisted of the freeholders and owners of land there, each of whom, being eighteen years of age, had a voice in every election and other business of the general Courts. It was not, however, in practice treated as effecting so great a revolution. The Orders and Constitutions of the original Company (which were principally drawn up by Nicholas Ferrar) were left in force; the Quarter Courts appear to have been conducted as before: and perhaps the only effect was to make the governing body a closer corporation.

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[1] See vol. i. p. 182.

25. At a Council Table, November 15, 1653.

(1) It was ordered that all the Captaynes of Bands in these Islands should take a view of the Armes and am̄unition to see that they may be in readynes against the tyme of need, hereing from Mr Perient Trott's hand that the Dutch nation intendeth ere long to keep their Rendevous here in this Island. It was vpon this consideration ordered that whosoeuer should presume to run out to sea in any Boates or Boat to hale or speake w^th^ any ship or ships shall loose the boat so sailed out in according to an order published for the reformation of such abuses and dangers, and of all these a proclamation to yssue out forthwith.

(2) yt was ordered that the division should begin the 23rd of the same month, and that all the Levy should be brought to Georges towne and delivered unto the Sherifes hands to be disposed on for the publique costs

The generall Levy for this present yeare 1653 being cast vp cometh to the some of 5005 tob.

The publique rents and gleabes being cast vp cometh to	1650
Less paid by severall men	170
	1480
[Total of charges]	4950

The payments to be made are as usual enumerated, but the column of the amounts is decayed away. Among the items are:—To the sheriffs for executing three prisoners, of whom two were Witches; to the mount-keeper and crier; to Larrence West for keeping Flatt's Bridge. The total is cast up 4,938 lbs., represented by 4,950 in the last line above, leaving a small surplus.

26. A Proclamation by the Gouernor, November 17, 1653.

The many and sad experiences that we haue had of the great damage that hath befell severall of the Inhabitants of these Islands through the neglect of many that hath bin owners and masters of Boates, leaving abroad their sailes and other rigging

CHAP. XI. 1650-1658.

in the night on the shore or elswhere: w^ch^ hath bredd presumption and bouldness in such as haue desperately resolued to run away in Boates who are alwaies *seekinge* wherewithall to accomplish their diabolicall designes and hence yt comes to pass that one neighbour becomes guilty of anothers damage, who ought rather to seeke the preservation each of other in peace and love These and many other considerations haveing bin presented and consulted by me the Gouernor with my Counsell wee have thought it requisitt to publish that amongst you it shall stand for a law for the futuer in these Ilands (That is) That whosoeuer shall hereafter Leave his sailes in his Boate or elsewhere carelessly and loosely so that the thief may or shall find his opportunity to steale them at his will It is ordered (and shall stand for a Law as aforesaid) that whosoeuer he be that shall after the publication hereof, leave his sailes in the night in his boate or elsewher so that any ill disposed person or persons may or shall have opportunity to take them away as aforesaid And his neighbour doth thereby become dampnified by the losse of his Boate Every such person soe offending shall pay the vttermost damage that his neighbour susteyneth by such default made as afforesaid without favor or mitigation for the same.

We haveing receaved advertizement by a carefull hand out of our native cuntry by the 'Elizabeth and Anne' lately arrived[1] That the Dutch nation have yt in their resolution to keep their Rendvous here on this Island ere long[2] If yt be not prevented by the good hand of our God, and wee not knoweing how yt may easily be avoyded by any thing wee see with our eyes, or in the arme of fleshe Therefore yt ought in the first place to be the care of euery one to ymplore the Almighty for help and direction And then to bestirre ourselues like men for safety and preservation And because eminent danger may be foreseene by the frequent roweing out in boates to shipes discouered vpon our coastes w^th^out advise or approbation Thes are to command all manner of persons to take especial notice That whosoeuer shall hereafter presume to saile off to sea w^th^ entent to hale or to speake w^th^ any shipp or shipes that shalbe discoured vpon our coasts w^th^out advise or approbation of the Councellor of their respective Tribes, shall fforfeite his said Boat that he shall soe saile out in. According as yt is already exprest in an order published for preuention of such euills and abuses I doe also hereby requier all the severall captaynes of the Bandes w^th^in these Islands That they do forthwith not faile to take a viewe of all the armes and ammunition, and to see that they be in a readynes & fitt for service against the tyme of need And of all these particulars herein requiered I do straightly charg and comand all manner of persons to take especiall notice and yeld conformyty accordingly as they will answere the contrary at their uttermost perrill

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[1] She arrived from Barbadoes.

[2] This has reference to the war with Holland, 1652-3-4.

Given at Georges Town the 17th day of november 1653

JOSIAS FFORSTER

27. Assizes. 24th Decem. 1653.

(1) Anne the woman Indian servant vnto Symon Harding of the parrish of Georges Presented for theft. Bill ignored: cleered by Proclamation and discharged

(2) Severen Vicars presented to be a deceiptful and dishonest man, the Grand Inquest being informed vpon oath by John Yates that the said Vicars hath subtilly and cunningly insinuated himselfe into the affections of a child of John Yates, and hath caused him to purloyne and to take from his father severall goodes, that is to say, a knott of sea line price 4*s* and five rudder Irons price 5*s* and six fathomes of new rope 6*s* which is a practice of such concernment not to be tolerated or winked att. Bound over to appear at the assizes

(3) The great damage done by Turkeyes and other ffoules at the time of setting come, by plucking up the young plants: Ordered that after warning received the owner of the fowls shall make satisfaction

(4) Wee the Grand Inquest being giuen to vnderstand that there are many young men in the seuerall Tribes that do hyere land for planting Tobacco, but yet are not carefull to make pvision for corne ground, whereby that good order formerly made that euery man should sett 2 akers of ground wth corne is not regarded but almost forgotten w^{ch} wee fynd to be one cause of the scarcity at present amongst vs, wherefor wee do desier that some strict order may be made that whosoeuer doth lett Tobacco land to any young men shall also lett them corne ground as well vnles the hirer hath corne ground of his own otherwise

And whereas ther are diuers young men who have not land to worke vpon yet will not hyer themselues to masters and soe become servants But resolue to work abroad as labourers Wee do desier that all such young men as doth intend to dispose themselues may enter themselues for labourers in the councellors booke where they entend to abide for that yeare, and they do not exact aboue 6*d* a day for their labours

(5) Edward Bickerton and the wife of George Esmond are

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presented upon suspition of incontinency The charge is supported by attestations. Sentance that unless they severally provide two compurgators,[1] they shall receive 31 lashes each at the post.

(6) Richard Jones is sentanced to pay 900 lb of tobacco for the support of an illegitimate child Both parents to acknowledge their offence in the Parish Church of their Tribe

(7) John a Skotsman and servant to Jonathan Stokes, and an Indian woman of Edward Sherlocke's. Sentanced to be whipt

(8) The unchristian practice of demanding great rates for corne upon the least suspition of scarceity is presented Ordered that corne be not sold hereafter for any higher price than for 2*s* the bushell at the vttermost

(9) A complaint is presented that men are not drawn fairly for Juries, whereby many feel themselves disparaged An order is given to meet it.

28. An example of proceedings in Divorce, 1654.

(1) Att the counsell Table, 27 June, 1654.

Kat*herine Wilson the wife of Thomas Wilson* Came and desiered that a bill of divorcement might be granted *her to the end she* might be released for euer from the Society of her husband *Thomas Wilson*, *Capt* Wilkinson being present, and affirmeing that the said Wilson had *prayed* him *to* acte for him if a bill of divorse were requiered by the *said woman* his *wife* & affirming also that the said Thomas had consented thereunto, if his then *present* wife did first desier yt: vpon thes considerations yt was ordered that *the said* Katherine Wilson should come downe to the *protho*notaryes office and there aske *for* her divorce vnder her hand & then *when* ther was another opportunity yt should be engrossed & signed & *deliuered to her* by the Gouernor

(2) Copy of a Bill of divorcement signed by the *undermentioned* Katherine Wilson the 3rd of July 1654

I Katherine Wilson of the Som^r^ Islands late wife of Thomas Wilson now residing in the Segatoo,[2] for diuers causes me thereonto moving and with the good will and consent of the said Thomas Wilson aforesd do by these presents revoke and release to him the said Thomas Wilson that covenant and contract and every pte thereof: w^{ch} was made betweene myselfe and him at our day of marriage or at any tyme before or after calling God to witness that I never entend hereafter to acknowledge him to be my husband nor to clayme any further interest in his p.son or personal estate of goods and chattells or any thing that is his, or shall hereafter be his But do hereby disclayme all advantages by any course of Law that may be taken agaynst him about the premyses & for the further and more full satisfaction herein to all men to whom yt may concerne, I do freely and willingly without any mentall reservation sett to my Hand this 3rd day of July 1654

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[1] See vol. i. p. 555. The remark in that place, that there are no instances of the Wager of Law in Bermuda after 1640, is erroneous.

[2] Eleutheria.

The marke of K W Katherine Wilson

Teste Antho: Jenour Secretary

(3) I Thomas Wilson now of the Somers Islands yet late of Segatoo haveing formerly married a wife called by name Katherine Wilson daughter to John Wilson and Katherin his wife of the Iland aforesd, and with all their free consents, and haveing by providence absented myself (though not willingly) and left her in her Fathers Tuition and taken care of her according to my ability for her liuelyhood vntill her comeing to me or my returne vnto her as became a loyall & faythfull husband But she not haueing the feare of God before her eyes, hath broken her covenant in marriag made betweene vs before god and man. And hath commytted adultery with another man . . . . yet at my returne hath not humbled herselfe vnto me, but contrarywise hath neglected me, and contemned my person although I offered reconciliation vnto her—vpon consideration whereof, and by advise and approbation of the Government here, I do by these *presents* vnder my hand make null all those contractes and promysses whatsoeuer I made in wordes at the day of my marriage wth the said Katherine my late wife Calling God to witness that I am resolued and by the presents do resolve wth myselfe neuer to acknowledg nor clayme any interest in her person or to anything that is hers or hereafter shalbe. But do reverse, release, and for euer sett her free from me. And do disclayme all advantages by her to be taken against her And do forbidd all persons to account her to be my wife, who I also for my own part shall for euer refuse and for the better satisfaction to all people whom yt may concerne I haue herevnto subscribed my hand without any mentall reseruation whatsoeuer this 9th of Nouember 1654

(Signed) Thomas Wilson[1]

Teste Antho Jenour Secret

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[1] Volume of Wills, p. 57.

CHAP. XI.
1650–1658.

(4) Somer Islands

To all Christian people to whom these prests shall come: Know yee that *at* the Humble Suite of Katherine Wilson late wife to Thomas Wilson the bearer hereof, wee have caused, this our certificate to be written signifieing hereby that in consideration of her vnfaithfulnes vnto her husband in his absence, as also for her obstinacy since his present being wth her, wth other vnseemly behaviour towards him whose tenders towards her were tender and truely affectionate as became a christian Having examyned the matter of fact seriously wee find it to be such as moves vs of the Governmt here to the strictest course of Justice for matter of Bastardy and Obstinacy, and to giue each other bills of Divorcement (*sic*); in virtue whereof they haue disclaymed and revoked all contracts of marriage and euery other interest each in other for euer, to which they have signed vnder their Hands in the records of the Islands. And this wee thinke requisett to signifie vnder or hands and seale this 15th Novem. 1654

Signed Josias ffORSTER *Gouern.*
Antho. Jenour *Secret*

(5) By a similar process Ffrancis Woode divorces his wife Susannah Maye, and for the same cause.

29. At a councill Table 29 Sept. 1654

It was ordered that all the gleab rents for this present yeare should be reserved for the vse of Mr Thomas Browne Minister, towards his mayntenance and paynes in his ministry among vs, vntill there be a further settlement by the honorable Company or Inhabitants here

30. The colony of Massachussetts, by a law passed in 1652, ordained that the Indians who were taken or surrendered themselves as well in the war of the Pequods as in that of the Sachem Phillip, were to be either sold and shipped off to the Bermudas and other parts, or reduced to slavery in New England.[1] Accordingly, we begin again to find mention of Indian slaves. One such occurs in the record of the Assizes of December 1653, another in the subjoined instrument. There was probably a distinction drawn between innocent and comparatively

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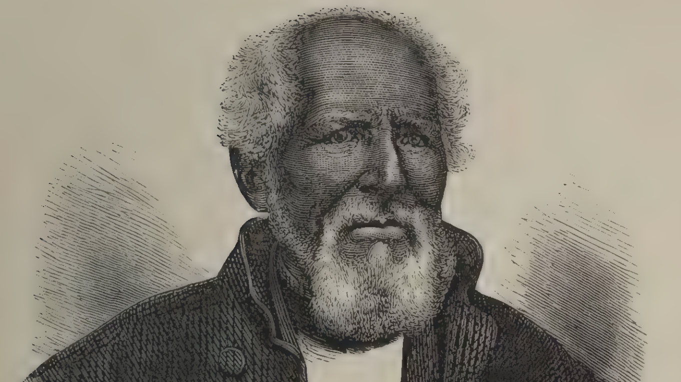
[1] Hutchinson's 'History of Massachusetts,' iv., p. 307.

[*To face p.* 48.



Portrait of the late JACOB MINORS, of St. David's Island, pilot, a native Bermudian of strongly marked Indian features; reputed to be of Indian descent, and probably descended from one of the Pequod captives. He died 1875, aged 84.

harmless Indians of the Spanish Main, who had been kidnapped by people little better than pirates, and savages taken in warfare; for, whereas we find in the letter No. 34, p. 55, that some consciences were already disquieted at the sin of retaining the former in bondage, there is no trace of any remonstrance touching the latter.

> *Know all men* by these presents, that I Jeames Witter of the Somer Islands chirurgeon for and in consideration of the summe of Twenty pounds sterlinge to me in hand payd (The receipt where of I acknowledge by these presents) by Richard Norwoode Gent, have publiquely bargained sold assigned sett ouer and deliuered and by these presents doe fully and clearely sell and deliuer unto the said M^r^ Rich. Norwoode one Indian man named George aged about xxiiij yeares, to haue and to hould the said Indian man &c., &c.

31. By a general letter, dated November 10, 1654, not now to be found, but referred to in 1658, it appears that the Company conceded some indulgence at this time in regard to the exportation of tobacco to ports other than London; but they withdrew it in the last-named year.

32. It appears incidentally by a Report of Privy Council to Charles II., dated Nov. 14, 1679, that in this year (1654) the Company thought fit by their order to constitute a court of justice upon the spot, reserving to themselves the right of appeals and of hearing divers cases at the first instance (MS. iv. p. 180).[1]

33. The date of the following general letter is wanting; as it refers to the execution of John Middleton for witchcraft, which occurred on May 9, 1653, and the remarriage of his widow, it must have been written a year or more after that event, and it may be a letter which was written April 19, 1655. The magazine ship of 1654 miscarried in her passage out,[2] and a long delay occurred in communication.

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[1] The order is dated 2nd October. It only refers to suits about titles to land. Col. Papers, 33.

[2] See p. 61.

CHAP. XI.
650–1658.

34. The Company to Captain fforster. April 19, 1655?

[An intermediate letter, dated November 10, 1654, has been lost.]

(1) Yr last (without date) by the returne of the magazine ship wee received the 8th of April last w^{h}in wee doe take notice how sensible you seeme to be affected wth the seasonableness of that mercy w^{ch} of late *stretched* forth unto you a divine hand, in the midst of y^{r} greatest straights & sufferinges, as also that the *Lord hath* pleased to use any of us instruments in his hands for the freedome comfort & reioycing of any amongst you, whereby if wee giue any ground to hope for greater fredome & peace *in your* gou^{r}ment then of late you enioyed, wee also trust & likewise do assuer you That nothing *shalbe* wanting in our endeavours that may lawfully further or really promote the wel being and prosperity of this plantation

Wee shall therefore consider your desiers as they haue bin seuerally prsented unto us And in order to the good & freedome to the people shall first of all take notice of certeyne Grieuances *w^{ch} are presented under* the title of propossalls

(2) And whereas for preservinge the crope of Tobacco both for the Advantage of the Company *& the Planters it is* propounded that o^{r} magazin ship arrive at Bermodas in September or October at the furthest wee shall use all possible meanes to ansuer y^{r} desiers herein But doe not think fitt that liberty be graunted to any person as yt is propounded to dispose of such tobacco that shal be refused by y^{r} Owners, neither doe wee believe a sufficient reason can be rendered why such tobacco should be vendible in any place, and should not be soe in the London Markett

The Company hath bin so tender of imposing duties upon the Tobacco of the Island that they haue oftentymes fallen short to raise a sufficient sume thereby to defraye the generall & publique charges And in Testimony of our care & tendernes herein wee haue this last yeare imposed only one peny in the pound vpon the Tobacco that hath bin ymported Wee shalbe carefull to contracte for freight at the lowest Rates & best advantage for the Company & Islands

(3) Wee have taken into consideration & doe find that a generall liberty granted for Appeales hath bin exceedingly abused, by litigious persons And such as liue vnpeaceably amongst you and therefore Wee doe thinke fitt and order that noe Appeales where the verdict is under 5^{lb} sterl from henceforth be admitted by you or Accepted by us And wee comend yt to the care & vigilancy of the Gou^{r}no^{r} & Councell that Justice be executed ympartially towardes all, soe that noe persons for

want of such Appeales way haue just cause given them to complayne

(4) To satisfie that Jealousie w^ch^ possibly you may harbour tuching the late Company their not accoampting for monies receaved wee think fitt to lett you understand That the Treasurer (to whom all dutyes were vsually paid) have eu^e^ry yeare made vp his accompts & cleared all receipts And notw^th^stand^g^ the great sumes of monies alleaged to be receaved for duties Ano 1652 larg Cropp of Tobacco then returned, yet by reason of the Companyes disbursements to ministers to M^r^ Norwood, officer, & towards other publike charges, ther hath not of late yeares any moneys remayned on Cash but the Company doth still remayne in debt

(5) The Minister wee now send &c (not coming I am bold to omytt (*Secretary*)

(6) Wee doe readily condescende to yo^r^ desiers for a free Trade with any shipes for Beefe, pork, ffish or other comodities of the Islands generally, Cedar & Tobacco excepted, And wee expect that our inclinable dispositions to answeare y^r^ more reasonable demands will begett a cheerefull & willing complyancey in you to send home full crops of Tobacco, whereby the company may receave their duties And soe be enabled to defray generall charges and supply the Islands w^th^ such necessaries as are wanting

(7) We are now led to consider of the seuerall particulars Conteyned in y^r^ letter and wee do thinke fitt & order that Persevall Goulding who by you is presented us as a pious teacher & eu^r^y fitt for the Schoole & Land in Devon tribe To be confirmed in the said place And that he enioy the Land apperteyneing to the School there And take and receave all such profitts as of right thereunto be belonginge

(8) *Touching* the complaynt made unto us of the great waste of cedars committed by transportinge the tobacco of the Islands in boardes compacted in y^e^ forme of chists of undue bignesse and proportion ffor redressing thereof & preventeing the distruction of Cedar w^ch^ *must en*sue thereby: wee doe Order and requier That all such chists as shalbe used for the transporting of tobacco of the Islands shall consist of boardes not exceeding 1 inch & ¼ in thicknesse and wee requier you the Gou^r^no^r^ and counsell to publish & put this our comande in execution and that you take care that the Inhabitants of the Islands and all other concerned do observe and obey the same

(9) *Wee haue taken* into consideration the want of one servant to Mr Wilkinson & neither *he nor some others have the* number Allotted them in respect of their comand w^ch^ you desier on their behalfe *to be* supplied by us And wee hope by

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the next returne of the shipp to be enabled to *do so* but at psent the Company are not in a capacity to make that supply w^{ch} is desiered Wee haue chosen & appoynted Capt fflorentia Seymer to be Capt^{n} of Southampton Fort in the roome of his ffather Capt^{n} William Seymer dead and wee *desier you to make over to him the* sd comand wth all the munitions thereunto belonging for purposes *of defence*

(10) We haue receaved an account from the seuerall Gleabes disposed to seuerall *partyes who* haue bin sufferers in the late troubles of the Islandes and wee doe approve of what you haue done therein As the same is certified unto us viz^{t}

The Gleabes	Pembroke to Phillip Dunscombe &	1
	William Watkins	1
	Hamilton Tribe to Richard Hawkes	1
	Sandys Tribe to Capt Mallory	1
	& *to* dispose	1

(11) Wee haue taken into consideration what is propounded by you for removing into Longbird Island the Colony negros which through age are growne past labor & unserviceable wee approve y^{r} care to prevent any charge that is like to fall upon the Company But wee do not thinke that any such negroes should be compelled to remove to Longbird Island that shall not freely desier the same But yf any among them shalbe voluntary minded to goe thither wee *charge the* Gou^{r}nor that they may be permitted And for such of them as you shalbe at charg wth necessary subsistance, wee shall take care to defraye all reasonable charges that shalbe *incurred* thereaboutes

(12) Wee haue sent necessaries for the clothing of old Tony to the value of xxx*s* w^{ch} you shall *have* from Mr Reade our husband wth the particulars thereof

(13) Wee doe readily grant the request of M^{rs} fforster who hath expressed her desiere by you that Company would bestowe on her one of the Children of Robert Choaker towardes *the maintainance of* the other, both w^{ch} are a charge to the gou^{r}nor

(14) ffor asmuch as you giue us to understand that diuers Bastardes, children begotten by *some man or* other upon the Companyes negroe weomen And disposed by their fathers at pleasure *wthout leave* of the Company, we do recomend yt to you the Gou^{r}nor & counsell to take especial *care that the* Rights of the company herein may be preserved, and wee doe order & requier that all *such* children be henceforth disposed of by you for the use of the Company only.

(15) Wee taking into consideration that for preventing & suppressing the sinnes of Incest, *Adulterie* & fornication &c The late penall Lawes of England in that case made & prouided *should be observed* & executed in the Somer Islands as here in

England, haue therefore sent you the late act concerneing the same[1] And because the life of eu^{r}y law doth consist in its due execution *we will* & comand you the Gou^{r}nor & Counsell to publish & cause that the sd act be obserued and *enforced* wee would not use arguments to stir you up thereunto having so lately mynded you in our letter of our earnest desiers that notorious offenders in this kind may be strictly enquired into presented and punished according to law.

(16) Whereas wee have receaved Information from you of the great preiudice happening *to diuers* psons for want of a liberty granted to them to try titles for Lands in the Court of *Assize* Wee do therefore think fitt and order that all restraint for any such trialls be *removed or* discharged. And that a liberty be granted from henceforth to commence suits for Titles *and carry* the same to jugm^{t} & recou^{r}y in the Court of the Sommer Islands: Provided that *any concerned* therein may after such judgm^{t} & recou^{r}y have Liberty granted them by appeal to the *Company if* in such cases appeale shall be by them demanded & required: they obteyning the order *required by the* Company in cases of Appeals

(17) Wee have chosen and appointed M^{r} Francis Watlington to be counsellor of Devon *in lieu* of M^{r} Norwood

Wee have also chosen & appoynted John Miller to be Pilott for both harbors in *the room of* John Stowe who hath lately surrendered up his place unto the company's hands

(18) The expedience alledged that the Gou^{r}nor & Councell may appoynte for shipment & other despatches hath bin Taken into consideration by us And wee do thinke fitt That shipmasters of the Company's magazine shipps be lymitted & bound *to such* tymes & orders only for their dispatches & setting sail: that shalbe giuen them in *orders* from the Company And to prevent that hurry that is intimated to be *commonly caused by the* suddenes of such shipps departure Wee do thinke fitt & order that *vpon the arrival of any* such ship at the Island The tyme prefixed by the Company for her *stay shall be* by you the Gou^{r}nor & councell published & made knowne throughout *the Islands* Wee are very sensible of the charges & paynes of the Counsellors in the *Several Tribes and are* ready to consider the same wth the Allowance of a servant to each of them *as soon as we are in* capacity so to doe

(19) Wee haue chosen and appoynted M^{r} Stephen Paynter who hath bin recommended *to us for shere*iffe to be comander of Pagetts fforte in the roome of M^{r} Woode

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[1] An Act for the punishment of incest, adultery, and fornication, May 10, 1650, cap. 10. See 'Acts and Ordinances of Parliament,' Nov. 1640–Sept. 1656. Scobell, Lond. 1658.

And wee pray you the Gou^{r}nor & Counsell to invest him in the saide *charge with all rights* thereunto belonging, ffor w^{ch} purpose wee haue herewth sent him o^r *commission*

(20) Wee doe Approve & confirm for Readers in the severall Tribes the persons whose names are presented unto us by you viz.

ffor	Georges	M^r Bridges
	Hamilton	James Neewbold
	Devon Tribe	Percevall Golding
	Pagetts Tribe	ffrances Flaike
	Sandis tribe	Thomas Hall

(21) Wee take notice of y^r notion on the behalfe of the widdow Cox That no advantage of *Law* be taken by us for the goodes of her late husband who having layne long under sadd temptacons was at last found strangled wth a cord And wee think fitt and order that our release (soe farr as yt may concern us the Company,) bee granted to the Widdow Cox for the goodes of her said husband, and that no advantage of her be taken by the Company

(22) You signifie unto us that the wife of John Middelton[1] who suffered death for witchcraft hath since her said husbands death married another man and upon pretence of obteyneing the Companyes release doth refuse to satisfie Middletons just debts wee therefore taking the same into consideration doe thinke fitt That all such goodes as Middleton possessed at the tyme of his araygnment & execution be lyable to satisfie his juste debts accordinge to Law

Wee do thinke fitt that the wyfe of George Stalver the old ferryman be continued in the place of her late husband she undertaking and performing all such attendance & service as the quality of the place doth requier

(23) Capt Jenins hath exhibited unto us a charg ag^t M^r George Tucker John Stowe & Roberte Hole for suspicion of Treachery ag^t the state of England & this company And upon due consideration thereof wee finding that the said Capt Jenins doth impeach of Injustice the grand Inquest & others doe therefor requier you the gou^{r}no^r & councell to examine the whole matter of the s^d charge And transmitt the same wth the proofes unto us, for w^{ch} cause wee have sent unto you a coppy of the said charge and what else hath been presented unto us, assisted by o^r secretary

(24) The s^d Capt Jennins hath propounded unto us on behalfe of himselfe & others That whereas there were taken by deceipt & brought unto the Som^r Islands by Capt Preston &

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[1] Hanged May 9, 1653.

others about 11 yeares past 30 or 40 Indians w^{ch} were freeborn people And ther made perpetual slaves to the great dishonor of God & the pulling down his judgm^{t} on the Inhabitants of the Islands to the preiudice of the Company That some course may be taken for the restoring of this freeborne people to their form^{r} libertyes And that the taking and Binding of such for the future may be prevented, wee do pray you to deliuer your sense & opinion of these proposalles And what you conceive in Justice may be expected from us And wee doe asuer you that yt is farr from our purpose to take awaye the servant of any man to whom any service doth belong of right, but in our care to releive the oppressed & to execute Justice wee are ready to do that hath bin propounded unto us, in a busines tending soe much as is alleadged by the propounder to the glory of God & the honor of the Company

(25) Wee haue bin moved on the behalfe of M^{r} Phillip Lea that he might obteyn a confirmation from this Company of halfe an acer of land in p.portion to eu^{r}y share of land he enioyeth in the Som^{r} Islands, to be sett out for him by the Gou^{r}no^{r} & councell, according to the 106 Article in the booke of Lawes And wee do thinke fitt that M^{r} Lea haue the benifitt of his s^{d} clayme & that he obteyne y^{r} warrant for the setting out the land accordingly: provided yt shalbe made cleare to you that the like proportion hath bin granted to owners of land in other Tribes in the said Islands

(26) Wee haue receiued information that M^{r} John Ball hath transported from the Island in Capt . . . . his ship severall quantities of cedar of a good value. Contrary to the Lawes of the Company And notwithstanding a prohibition thereof was published at the mayne maste of the said ship And wee doe requier you the Gou^{r}ner & councell strictly to examyne that busines: state the matter of fact, and to transmytt the same wth the Examinationes & proofes unto us whereupon such course shall be taken as to justice shall requier

(27) In the cases of Damon Knowles who hath bin sued by Robert Dickenson And a verdict obteyned ag^{t} him of 300lb of Tobacco for certeyne wordes spoken by the s^{d} Damon to M^{r} Paynter, wee requier you the Gou^{r}no^{r} & Councell to examyne the said case state the matter of fact & transmytt the same wth the examynations & proofes unto us & we thinke fitt & do order that the p$^{\cdot}$ceedinges at Lawe ag^{t} the s^{d} Damon for the same do cease until you do receave further directions

(28) In o^{r} Last Generall letter wee requiered an accompt from you of the Colony negroes & wee expected that you would have made a returne accordingly but finding that the sd order hath bin neglected wee must agayne mynde you of yt o^{r} order

& wee requier you strictly *to enquier and* to examyne what number of negros belonge at *this tyme unto* the Company: in whose hands such negroes are & upon what termes *they are hired sending an* accompt hereof by the first conveniency, and wee being informed that John Turner hath one such negro and Thomas . . . another of these, wee shall expect from you a particular account:

(29) A petition hath ben presented unto us by Edward and marye Brackley his wife & *for what is* conteyned therein wee referre you to the petition ytselfe a Coppy whereof wee *send you* attested by o^r secretary, & wee requier you the Gou^{r}ner & Councell to *enquier into the* whole matter of the petition & transmytt the same wth the examinations & proofes

(30) Wee have appoynted M^r John ffox to ouersee the shippes loading & unloadinge & to take care that from the Ilands no Tobacco be conveyed save in the Companys *ship* & noe Cedar be transported but what is allowed for bringing home the comon growth of the place And wee think fitt to giue him such reward therefor as was form^{r}ly granted to M^r Hall

(31) Wee taking into our consideration that Warwicke & Smythes Tribes in the *maine* are at present destitute of Readers, have appoynted & confirmed M^r Reighton (who hath lost & suffered much in the late troubles there) to be Reader in Warwick And wee do thinke fitt that the said M^r Reighton have liberty & also to rec*eive aide* & assistance from the Gou^{r}ner & counsell to read, preach & expound in the *churches* and for his paynes to be taken herein wee have allotted him an house & two *shares of* gleabe land in the Ilands And wee doe comend unto y^r care M^r George A . . . . Reader for Smithes tribe & wee pray you to settle him therein if no just cause *doth* appeare to the contrary

(32) Wee have appoynted Counsellers for the yeare ensueing viz

ffor Pembroke Tribe M^r Henry Moore in the roome of M^r Berkeley

ffor Smithes Tribe M^r John Sondfull in the roome of M^r Peniston

ffor Pagetts Tribe M^r Phillip Lea in the roome of M^r Whentworth

(33) Wee comend to y^r care o^r deputy Coll Rowe his busines, that you assist his agent M^r William Wilkinson in takeing possession of one share of Land in Pembroke Tribe now or *lately* in occupation of Giles ffunge or his assignes w^{ch} our deputy hath purchased lately of M M . . . & that you call before you

the Tennant or Tennants thereto And cause them to pay unto Wilkinson for our deputies use all such rents as are in arreare & get receipt by them Alsoe wee doe desier you to be assistinge unto Capt fflorentia Seymer who is agent to . . . . in receiving all such rents as are due from his tenants respectiuely And wee do further desier you to be assisting unto Capt Wilkinson in the behalfe of M^r^ Wilkes in the despatch of M^r^ Webbes affayers in the Islands

(34) In our last generall letter we did comend unto you the Case of M^r^ Leonard ward *regarding* some land taken awaye from him by capt Turnour w^th^ desier the same might be enquired into and certified unto us but thereof wee have receaved no accompt Therefore wee *again commend* the said busynes & do herewith send you a coppy of M^r^ Wardes case as yt was de*scribed* by himselfe & to examyne who hath held & enioyed the 8 acers of land in the sd *shares* since they were taken away from him & who hath them in present possession What *is the* rent thereof. What trees or other things have bin cutt downe & carried awaye & by whome & a true value thereof And that you certifie the same unto us.

(35) Wee have sent unto you Captain fforster in consideration of y^r^ late expenses *and for* y^r^ better encouragement in your care & endeavours on the Companyes be*halfe certaine* comodityes w^ch^ you shall receaue by o^r^ magazine ship consigned unto you, *and* for asmuch as ther hath bin hitherto no execution of the cheife Actors & *abettors in the late* troubles & Rising in y^e^ Som^r^ Ilands ag^t^ the State & Gou^r^m^t^, wee do think fitt *that yourself* & counsell do examine that busines upon Oath. And transmitt y^r^ examynation *thereof* unto us by the next returne of the magazine ship and for such as you shall *find vpon* examynations to have bin those actors & fomenters of the sd troubles & risinge : *you are* to take sufficient security that they shall not depart the Iland until the pleasure *of the Council* concerning them be further knowne And in the mean tyme that *they be allowed to live* quietly & peaceably under the present gou^r^m^t^: And all such of the counsellors *as vpon* examynation shalbe be found to have had a hand in the plotting & contriving *of the* sd Rising wee requier you that they be forthw^th^ suspended y^r^ coun*sell As for them that* have bin sufferers in the said late troubles & riseinges we leave them to *take their course at* Law ag^t^ all them that have done them personall wronges or iniuryes

(36) All such petitions & appeales as hath bin made unto us you shall fynd *disposed of* according to the severall orders of court herew^th^ sent you. And in the case of Bar . . . .

against Robert Dickenson wee have comended y^{t} to y^{r} care & endeavour to prevent *such wrong and op*pressions of the people among you

And thus committinge Gods gratious Prouidence

JOHN OXENBRIDGE Gour.
JOSEPH TODD
ISACK ROWE

PS Wee have appoynted our Magazine ship w^{ch} wee now send unto you to stay at the Islandes & to unlade, fforty dayes & no longer And wee requier you the Gou^{r}no^{r} & Councell that as soon as yt shall please God that she shall Arrive you do forthwth giue notice thereof to all the Inhabitants To the end they may have convenient tyme for the bringing downe and shipping all their tobacco And wee pray you to use y^{r} best endeavour to gett this shipp as full freighted as you can And that noe Tobacco be transported from the Island in any other ship or vessell save in this o^{r} magazine ship w^{ch} wee requier to be despatched in the tyme limyted.

35. At a Council Table, 2nd April, 1655.

It was ordered by the Governor and Council that M^{r} Percevall Goulding should have possession of the schoole in Devon Tribe from which M^{r} Norwood was *removed*, and to dispose the same vntill order should come ouer of the Compa. And also that the Library should be delivered vp by M^{r} Norwood vnto Percevall Goulding when the Sheriefe shall come for the amount thereof

It appears elsewhere that this order, which embraced the disposal of two shares of land, whereon the schoolhouse stood, was carried into effect on the 2nd June, and a full catalogue of the books has been preserved under the following heading:—

A true and perfect accompt of the Bookes belonging to the Librarie belonging to the School house sometymes in the hands of M^{r} Richard Norwood and now delivered by him the 7th May 1655 unto Persevall Goulding in the presence of me Anthony Jenour Secretarie

(1) Books bestowed 1635 by M^{r} Gabriell Barber vpon the Library of the Somers Islands 10 volumes folio, 1 paper Booke

(2) Given by Mr Michael Sparkes 1638 2 volumes folio 7 volumes quarto and Prynnes Pamphlets.

(3) Given by the Lord Mandeuille 1640
39 volumes folio 53 volumes of other sizes

(4) Given by Mr John Cliff 1640
Hakluyts Voyages and discoveries 1598 folio

(5) Mr Michael Sparkes gaue to the library in Año 1643 Mercators Atlas in English, folio.

(6) By Mr George Tucker Esqre 1640
A Payer of Globes with their cases.

(7) Mr Gabriell Barber gaue for the Library of the Som. Islands severall Bookes which he sent over by Mr Gouldinge, which were receaved the 29th day of August 1650.
12 volumes folio 10 of other sizes

(8) Mr William Goulding Minister gaue for Library of the Somers Islands by his last will and Testament 2 Bookes deliuered to Mr Norwood by Mr William Wilkinson August 29 1650 viz.
The Imperial history of Edw. Grimstone
Thomæ Aquinalis Summa totius Theologiæ

(9) Mrs Virginia ffarrer[1] sent to the Trustees some books tuching the kinges supremacie The truth of which is doubtful, so I forbeare to mention them.
April 1652 Her booke entitled 'Virginias Health and welfare,' properly bound vp in vellum wth a mapp of Virginia
April 1653 A new and rare discourse tuching silke wormes[2]

Of this library, comprising about 67 works of solid learning and divinity in folio, 52 volumes in quarto, and about 28 in octavo, not a trace exists—the remembrance has vanished like the books. It seems impossible that this can be the result of neglect or wilful destruction. It might be accounted for by a fire; but no record of one has been found, and the only alternative is to suppose that the books were sent out of the island; a search, however, in the Prince Library at Boston and other old libraries in New England, while it has shown that many of the same works exist in them, has failed to furnish any clue, and it is therefore useless to print the list.[3]

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[1] This enthusiastic lady was a granddaughter of John Ferrar, Governor of the Company in 1619, who was elder brother of Nicholas Ferrar, of pious memory.

[2] Reprinted by Peter Force. Tracts, vol. iii., No. xiii. p. 40.

[3] The Prince Library began to be collected by Rev. Thos. Prince, afterwards minister of the South Church, Boston, in 1703, and is very rich in books of the 17th century. I am indebted to Mr. Sam. A. Green, one of the Trustees of the

36. At a Counsell Table, 1st of *June*, 1655.

It being taken into consideration by the Gouernor and councell that the 'Swan' being sette forth for o^{r} magazine ship for this p^{r}sent year 1655, and cast awaie at Milford Haven, as by certayne intelligence receaved from the master and passengers of 'the King of Poland,' arriveing here the 13th Maye of 1655 *doth appeare* And haveing noe newes yet come to hand from the Company what to doe in the matter of shipping of Tobacco vpon the 'King of Poland' w^{ch} being now in question by reason of severall letters sent by some merchants of London to their agents here, who doth order them to ship their Tobaccos in the said ship. w^{ch} being presented to the Gouernor & Councells consideration It was not thought safe by them that any tobacco should be shipped home but such as should be consigned to the Port of London, according to all former orders in that case from the Company from tyme to tyme.

The order being read to M^{r} Johnson Master of 'the King of Poland' he duly yeld himselfe lyable therevnto and desiereth that hee may haue liberty to take in what tobacco he pleaseth from such agents who haue Order from their merchants to ship vpon his said ship, w^{ch} was granted and M^{r} Johnson promiseth to haue a perfect accompt to the Gou^{r}nor what Tobaccos he so takes into his ship.

37. Wreck of 'The Hopeful Luck.' Capt. John Wadsworthe. The Company to Captain Forster. 12 June, 1655.

Captain fforster

Since wee wrote vnto you by the 'Imployment' about Wadsworthes busines we haue receaved more certeyne information of the Rudenes of some of the planters. And some came over eyewitnesses to the same in cutting downe the Rigginge of the ship, pretending to be a wrecke And takeinge awaie goodes out of the hould notwithstanding the Cap^{t} of the ship was on board and notwithstanding the Gou^{r}nors order to the contrary. And withal we understand by a letter to M^{r} Poade dated the 28 March 1655 and other letters to some particular members of the Company certifying that you had some certayne goodes come to your handes taken out of the said ship a part whereof is sould about the middle of march last to sufficient men Intending to send the produce home to vs by the ffirst magazin ship: but wee being satisfied by good hands that yt was no wreck doe rather advise you vpon sight here of to

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Boston Public Library, in which it is now deposited, for a careful examination of thirty volumes whose titles occur in the Bermuda list.

deliuer vp all the proceed of the said goodes and all such goodes as came to yr handes yet vnsould vnto Mr Thomas Richardes the Agent of Mr Trott who hath bin a great sufferer by the said losse not known both vnto vs & you. He the said Trott *having* giuen bond *to beare you* harmeles and tobe answerable for the *value of the Goods to any* interested therein A coppy of wch Bond wee have herewith sent you And wee haue thought fitt to giue you this tymely advice from the apprehension wee haue that if it be not so done There will be that course taken after wrecks that some of the Inhabitants will be loathe to feele, and wee to heare of, being fully sensible of the woefull miscarriages that haue bin ther for the proof of wch there will be little les than a Jury of wittnesses. Wee need say no more but be advised

yr loving ffrendes

London 12 June 1655

Owen Rowe Deputy
Wm Webb
George Turberfeild
Joseph Todd Treasurer
Edward Poade
Isaacke Rowe

To our loveing ffriend
Capt Josias Fforster
Deputy Gov. of the
Somr Ilands. &c.

[The Bond is inclosed: Perient Trott, who had goods in the ship 'to a very great value,' binds himself to Capt. Fforster in 500*l*. to be answerable to any other parties who might claim an interest in the goods recovered.]

38. August 27, 1655.

It was ordered by the Gouner & councell vpon the complaint of the wife of James the negro at Herne Bay against Matthew Nash. John Browne Henery Hall and John Waynewright, ffor abuse and damage done to her in a royetous way or manner That they shall pay at the next diuision 40lb of Tobacco viz 30lb to the generall Levy and 10 lbs to the Negro woman to be taken vp by the Shreiffe

39. At the Assizes, held 20 November, 1655.

(1) Grace the wife of John Bedwell is presented for witchcraft but acquitted. See the Appendix.

(2) Wee the Grand Inquest after severall complaints made vnto vs about the shipes cominge into the Towne Harbor, have taken the busines into our considerationes knoweing that the Castle Harbor is chiefly appoynted for them to come in There being a continuall garrison kept. And perceiveing that yt is very inconvenient for comeing into at the Towne harbor It comes

to pass many times that the people comeing down they and their boates lye winde bownde to their great losse of tyme and charges and oppressing their ffreindes, w^{ch} if the ships were in y^{e} castle harbor people might haue all the mayne to Ireland and releive themselves, and there they could lay vp their boats safely and walke home by land: and this aggreivance we doe present to this court and desier yt may be remedied

And now haveing moved this court to have all the shipes brought into the castle Harbor w^{ch} wilbe very comodious for the Islands wee thought good to think of a pilot to bring them in hereing that at present there is none certeyne. And haveing herd a very good reporte of the ability and sufficiency of one Thomas Heyes of this Towne and hereing by his neighbours w^{ch} are of our court That he is a very honest and laborious and industrious man and very actiue and Ingenious and apt, for such a place: wee the Grand Inquest doe all wth one consent desier y^{r} worship that he may have the place, hopeing that he will be ready to giue content

This being taken into consideration by the Gouernor and Bench: yt was thought most necessary that yt should be left to the Governor whom to imploy from tyme to tyme beinge for labor.

(3) And whereas wee find by experience a great abuse done by the Inhabitants in taking liberty to themselves contrary to ancient custome, in payeing awaie tobacco, before the vsuall and sett tyme of division, to the preiudice and discouragement of the owners of land in respect of their rents, and of merchants in trusting out their goodes as also for the publique charges in the Levy . . . .

W^{ch} motion by the Grand Inquest beinge seriously debated yt was ordered that whosoeuer shall for the tyme to *come presume* to dispose of any tobacco of the yearely growth before the tyme affixed by the Gou^{r}nor and councell for division, Such tobacco so disposed, the one halfe thereof to be *forfeited* for *publique* vses and the other halfe to such person or persons as shall discouer the same

(4) And whereas there is an Act against all forestalling and engrossing of *goods or* comodityes in a markett: in M^{r} Poltons abridgement of Statutes Vpon diuers complaints made vnto vs by the Inhabitants wee doe present M^{r} Thomas Richards of Southampton tribe, ffor that he when as M^{r} Peniston brought in a vessell laden with salt, a comoditie w^{ch} the Iland had great need of, and would have been sold for hides, hay and basketts and such like trade as people had, he steps in and buyes yt all vp and sells agayne for money and tobacco to the great hinderance of the Inhabitants. And also when the ship

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'Imployment' came in one M^r Bishop the masters mate of the said ship brought over a parsell or cargo of goodes amounting by the report to the value of 50 or threescore powndes or thereabouts And this also M^r Richards went aboard, and bought all vp and carried to his house, and there sells them Doubtles at a greater rate than he payd for them, the w^ch if the goodes had not been so bought in grosse, the Gentleman being to return with the ship would have sould them at very reasonable rates for ready tobacco, and many people would have much bin releived by them. We doe present thes doeings as an vnsufferable greivance and desier that noe such practices may be tolerated amongst vs

(5) Also wee here of much complayneing by o^r Inhabitants w^ch wee do take notice of and doe present yt as a great Grieuance vnto this Court. That whereas diuers gentlemen of the honorable company and members thereof have settled a factory here for the supplyeing of the Islands wth necessaries and these factors in selling of their masters goods doe very much oppresse the people, and by the enhaunseinge of their prises doe exact farre more vpon the comodities then is rated vnto them in the Invoices contrary to their masters order or advantage but only for the secret gayne of their factors and wee know that each marchant putts vpon his goodes all the petty charges besides what they cost And wee conceive that the ffactor should be contented w^th his wages. And being our necessityes doth constrayne vs for to buy of them, wee desier that they may lay out their Invoyces that the Inhabitants may see the price of euery particular or ell of cloth vnder their marchants hand that they may be no more abused

(6) *We the Grand Inquest doe present* that abhomynable sinne of drunkennes *w^ch doth* rage and reigne as at this present tyme in all places of these Islands That as yt is said by the prophett All tables are full of vomiting, ffeareing that if this sin of drunkennes shold not be presented, Impleaded, and stood vp against, the hand of God may be feared to fall vpon vs in some worser kind than in wrecking our goodes. Drunkennes was the cause of that notorious vproar stirre and outrage w^ch was of late in Deuon Tribe . . . where there was likely to be manslaughter w^ch comes to passe by reason of so many tipplinge houses w^ch are suffered in euery corner: ffor preventing where of we desier that noe one may be suffered for to drawe strong drinke in a retaileing manner to be dranke in their houses without a Licence And to be bound wth suerties by recognizances for keeping good rule and order in their houses accordinge to the Law in that case prouided And for the great quantityes and abundance of strong drinkes w^ch is continually brought into

this Islands, wch hath bin by former grand Inquests prsented and complayned of and answere was them made by some, that if we shall debarr the bringing in of strong drinke we shall lose the trade of Barbadoes And wee say agayne If yt be continued without restreint It will euen distroye this poore place And therefore wee do most humbly intreat your worship wth your counsell to take yt into your considerations and find out a waye to prevent yt for the tyme to come.

(7) Alsoe wee doe present to this court that most horrible sin of sweareing and blasphemeinge the great and glorious name of God w^{ch} is nowe growne so comon and vsual that euen the little children hath taken yt vpp. And you knowe the prophett saith because of oathes the land mourneth. And in the law of God yt is that a blasphemer was to be stoned to death And being that wee have a law amongst vs against that sin, wee desier that this may be taken into consideration and that Law put into execution more carefully And that such as are in any place concerneing the Gouernment of this place may haue this in charge that each one according to their degree and quality may be proceeded against and dealt wthall, that all such as seeme not to feare God may be caused to feare man

(8) ffor those men amongst vs that take vpon them the trade of sawing of Tymber now of late are growne so incorrigable that they will not sawe for any man not after the old rate and order of haffe a crowne a hundred, but they will have three shillings and sixpence the hundred, nay 4s or halfe the boards wee do present this as an abuse of the Inhabitants, that have alwaies vsed to have thier Tymber sawne for 2*s* 6*d* and that now they shold seeme to demand 4s the worke being the same to them now that yt hath bin formerly to other men, wee do present yt to this court, who have power to compell them to do their work accordinge to the ancient custom and order and rate.

(9) This presentment relates to the Coopers, who are charged with making caskes of a wrong guage apparently too small. *MS. defective.*

(10) Certeyne Presentments deliuered to the Grand Inquest by the Officers of the Severall Tribes as ffolloweth. [There follow 13 presentments, all for acts of immorality. In one instance 39 lashes awarded, in others 31 lashes, or a public acknowledgment before the congregation.]

(11) Walter Abbott is charged with a gross and illegal proceeding who went into the docke in the sight of several persons and did euen creep and stoop down to Bedwells wife (see p. 61) and whisper to her, w^{ch} is a thing not lawfull or allowed in any court, that any one should prompte a Prisoner at the Barr Therein to plead against the Lord Protector in the Prisoners

behalfe, w^ch^ business wee take to be of soe high a natuer that we present it to your worship desiering that such a pson may be made exemplary—Also he Abbot was herd by John Coleson who is now in court, when that Robert Powell was cald to giue in evidence ag^t^ the prisoner at the Barr, say to Bedwell he is noe evidence, he is periured, and did much lame Robert Powell's evidence as appeared. Whereas wee all know that the said Rob. Powell for that business for w^ch^ he was convicted periured for, was a matter knowne to be true that he affirmed, only he was mistaken in the day that the thing was done: vpon the consideration whereof the assembly that held presently after did restore the said Robert Powell to his former condition . . . . [goes on to recommend that Powell shall have leave to proceed against Abbot for defamation]

Appearance by recognizance.

William Haynes, for falsely reporting Mrs. Millor to be a witch. (See Appendix.)

Mr. Berkley on charge of rape. Discharged with an admonition, the parties having gone to New England and none left to prosecute.

40. At a Generall Assizes, held the 20 November, 1655.

(1) Vpon an accon entered by Capt Stephen Paynter and Capt William Wilkinson in the behalfe of themselues and the rest of the sufferers ag^t^ Capt Richard Harbert Capt^n^ Thomas Jennings and others that had a hand in the rising, in the behalfe of the country Vpon the request of Capt Harbert and the rest it was ordered by the Gou^r^nor and counsell in court that 6 gentlemen as Arbitrators and the Gou^r^nor himselfe as umpire or moderator, should put a period to the busines and whatsoeuer should be concluded on by the said Gou^r^nor (Q. Court?) and the Gou^r^nor, both plaintife and defendant hath consented to stand vnto. And whatsoeuer shall be so concluded at abouesd the Gouernor and councell will give sufficient power to those who are to Levy the same, on all who were actors and known abettors in that Acton complayned of. And whatsoeuer shall be so agreed vpon shall be in nature of a judgment.

(2) *The petition of the defendants.*

May it please your honor and the worshipfull *counsell len*ding to our co*mplaints* y^r^ inclinations suitable to our earnest desiers that a generall reconciliation w^th^ vnity loue and peace may be Accorded to this poore Colony, wee are bold to preferre this our humble request ffirst that you wold be pleased our busines may be *referred vnto* six men, three chosen on our behalfe and three by Capt Paynter Capt Wilkinson and y^{r} honor as moderator

2^{ly} that the burthen may not be cast vpon a few particular men to their vndoing, that as yt was a generall Acte soe yt may be a generall payment the countrey were actors and abettors

3rd That the attorneyes of those persons that are absent and out of the countrey may in the behalfe of them w^{ch} the rest here giue vs wth the *rest* of the countrey a finall discharge for all acts and thinges done by vs, or *any* of vs in or about that vndiscreet Rising

4^{ly} we desier that the powder and match w^{ch} was brought from Barbadoes *being* purchased by the country and made vse of for the vse of the company, may be returned, or the value thereof towards the payment of what shalbe thought fitt

5^{ly} we desier to informe you that wee never receiued the fund now demanded: for many paid *not?* what was by themselues Levied

Wee humbly desier you would consider that when Mr Beaumont was taken at Nevis and surprized for comeing to this place viewing of the Gouernors Letter and the Acte of indempnity then produced, Sir George Askow (Ayscue) cleered the shipp

The names of those gentlemen chosen

Mr John Devitt
M^{r} John Somersall
Capt^{n} Richard Jennyns

Capt fflorentia Seymer
M^{r} Edward Hinson
M^{r} Anthony Peniston

(3) To the gentlemen elected to arbitrate the Cuntreys differences

Worthy Gentlemen

To make a larg preamble to a business so well knowne vnto you were superfluous yet to be silent in a matter of such consequence wold be deemed simplicity wee haue the les to say, because we doubt not but y^{r} moderation [consideringe the people are generally poore And the accon produced a generall preiudice]: will mixe mercy with miscarriages. Wee were in hopes that in soe long a tract of tyme the love of peace would have bredd peace loue and patience Wee acknowledged our error to the company who by their *answere* resented and as wee vnderstand vpon our submission desiered and *enioyned* a generall reconciliation, ffor the Acte of Indempnity though *sent* from *the enemy*, yet on good grounds we conceiue yt was consented vnto by the Counsell of state, and the States Generall Sir Georg Askow (Ayscue): vpon w^{ch} we noe waies doubted but our condition might be sutable to other Islands, and our submission being free without compulsion; the premises wee referre to your serious considerations hopeing the prince of peace will guide your harts to conclude a real peace

Gilbert Hill	John Dorrell
Thomas Wells	Charles Whitenhall
Robert Pulford	Michael Burrowes

(4) *The Award.*

Wee whose names are herevnder subscribed or written, chosen six of vs by both parties to put an end to the difference made by the rising in the Island in the yeare 1649 doe order and awarde as ffolloweth.

Impr^{s} That all that were called Agitators or part of them shall pay to them that any money or goodes were taken from them, their money plate or goodes agayne by the last day of October next And to have power to levy yt vpon all those that were any wayes actors in that rising with them according to their severall estates

2^{ly} That they are to have all the Powder and match bought with any part of that goodes so taken from the then suffering party restored to them agayne, or pay for yt, in regard they are to make satisfaction

3rd Wee do order that the party then sufferers shall vpon the receipt of money or goods giue their severall acquittance both for themselves and in the behalfe of all others to whom they or any of them are attorneyes, and for all matters and iniuryes done to them or any of them by that riseing

4th That those that did then Suffer shall subscribe to a writinge if presented to them, to be sent to the honorable company of Adventurers of this Iland That they may receiue full satisfaction of all matters concerneing that Risinge

(Signed) John Devitt
Fflorentia Seymour — Edward Hinson
John Somersall — Anthony Peniston

41. At a Council Table, 19 December, 1655.

(1) It was then ordered that notice should be giuen to the Tribes in gen^{r}all that Capt Limbrey his ship was ready to take in Tobacco: and to requier them to provide that their Tobacco should be shipt wth all possible speed as wind and weather

should permytt It was further ordered that whereas ther hath bin shipt vpon the ship Imployment some tobacco belonging to M^{r} Perient Trott wth the knowledge and consent of M^{r} Henery Moore, that the said Tobacco so shipped should be taken out of the ship Imployment, and shipt vpon the Loyalty whereof Capt Limbrey is comander: vnles that M^{r} Jenkens and the s^{d} Captain shall otherwise conclude between themselves

(2) At this Table the master and merchant of the Orange tree vessell made complaynt against the men: about the breakeing vp of the Steward his Rome and for to take out severall victualls: the men pleaded yt was want of convenient victualls that occasioned them soe to doe. The other affirmed that they wanted not: and vpon this account the M^{r} and merch^{t} wold haue turned them out without payment of wages: but being taken into serious debate: yt was ordered by this table that the master should pay the men their wages and sett them free from the ship

42. At a Council Chamber, 22 January, $165\frac{5}{6}$.

(1) At this meeting Mr Robert Browne minister makeing demand by his petition that the Gleabe at Georges wth the house might be deliuered vnto him, that thereby he might the better provide for his family if he should like to staie in the Islands. It was concluded that he should have the disposuer of the Land, soe as to agree with the Tennants as he thought fitt himselfe. And it was likewise then ordered that he should be tolerated to officiate in the ministry accordinge to his obligation wth the company. Att this court also the companies order tuching M^{r} Reightons enterteynm^{t} into the tribes called Smythes Tribe and Hamilton tribe to read preach or expound the scriptures: yt was consented vnto by all the counsell psent except M^{r} Somersall: who forbad him to preach in the church w^{ch} he said was his, standing vpon his land purchased lately and conveyed to him, and he had the company's seal for yt, nevertheles yt was ordered that M^{r} Reighton shold have freedom to officiate according to the companyes order and to be posest of the Gleab in Hamilton tribe.

(2) . . . . It was then also ordered that all the Captaynes of the severall bands within these Islands shall take care that all such as were in Armes and actors in the late Risinge and have any shott powder or other amunition in their custodye or possession, yt should be imediately seized by the sd Captaynes and kept in safe custody by them: If any shall deny the delivery thereof accordinge to the true intent of this order

they shall be forthwith sent Prisoners to the Gouernor and to answer their contempt.

(3) It was also ordered that the Gouernor and counsell should meet at Capt Lea his house to consult about the execution of the companyes commission about the Riseing

43. Order, 27th March, 165$\frac{5}{6}$ Domestic Entry Book. Interregnum, No. 105, p. 11.

(1) Forasmuch as the Security of the Somer Islands, otherwise called the Bermudas, is of much conc^{r}nm^{t} to the service of this Comon Wealth, And whereas, towards providing of Amunicōn for supply, and defence of the said Islands, and the maynetayning of Forts, Ministers, and other Officers both Military, and Civill there, a duty hath from the begining of that plantacōn been layd yearely, by the former Governo$_{rs}$ and Company of Adventurers for those Islands for the tyme being, at their Courts in England, upon the Tobacco of (the growth of those Islands) w^{ch} hath been imported into this Nacōn, w^{ch} duty, and allowance hath heretofore beene usually paid by the persons interested in such Tobacco, and soe hath contynued, till that very lately some psons have wthdrawne the same ; To the intent therefore, the safety of those Islands may be better provided for, and the proteccōn of the well affected Inhitants contynued, by the Supply, and sending of Amunicōn and the Mayntenance of Ministers and publique Officers there, in the way that hath beene accustomed, Ordered by his Highness the Lord Protecto^{r} and the Counsell, that the members of the said Company, and all psons trading thither, or otherwise interested in any imported Tobacco of the growth of those Islands, doe satisfy, and pay such usuall yearely tax, and duty, as shalbe sett upon such Tobacco, by the Governo^{r} and Company who are now intrusted wth mannageing the affaires of that plantacōn in England, at their Courts in, or about London, to such pson or psons in such proporcōns, and at such tymes, as the said Gov^{r} and Company now intrusted as aforesaid shall, according to y^{e} Antient Custom in that behalfe, Lymitt, and appoynt. Provided that the said Tax and Duty doe not exceed one penny for each pound of such Tobacco imported as aforesaid ; And in case any of the said Members, traders, or others shall refuse to make payment as aforesaid, then the s^{d} Governo^{r} and Company are to returne to y Counsell the names of such refusers that they may be summoned to show Cause why they doe not satisfy, and pay the duty, and allowance that shalbe sett and laid as aforesaid.

44. Memorand. 18th Aprill, 1656.

That I John Bayley in Devonshire Tribe Plant^{r} this 18th day of Aprill 1656, do freelie give and possesse my daughter Mary with a Negroe girle named Elizabeth, that is to say, to shee and to her heires for ever. And if in case my daughter doth die, then I doe give her to her daughter Mary and her first Issue to possess at the weining of it, and the rest of the other Children as following in age. And in case any of my daughters Children dyeth, the rest are to possesse, but never to be sould from one another. And this is my full intent. Witness my hand.

Signed
John Bayley.

45. A Proclamation by Capt. Forster, May 6, 1656.

By the Gou^{r}ner

I haveinge observed from tyme to tyme that it hath bin comon amongst men here in thes Islands, when their *cropps* hath bin taken *away from them by the* hand of God vpon vs, yet to murmurre and repine and be ready to ascribe yt to *any thing rather* then *to* our *sinfulnes*, and say why is yt thus wth our ffiggs and our tobacco *and corne, while alas* few doth consider with them selues the Guilt that lyes *at their door* by reason of their *own evil passions*, excesse of strong drinke, couetiousnes pride and riot, with other reigning *sins* and abhomynations, w^{ch} are growne soe high that *the same* complaints and exhortations may Justly be taken vp against vs in these our tymes as by the Prophet Joel *in his* tyme Cap. I. And wee haveing the same alseeing God who seeeth and knoweth all *hearts* workinges, and how they tend mostly to deceipt even vpon that comodity w^{ch} under God is the cheife meanes to vpholde our outward man w^{ch} deceipt is manifest by the vnconsionable makeing and payeing of badd tobacco for good comodities . . and by that slye and crafty waye of bynding vp their rowles together so fast with stringes that it is not easy to discerne their falsehodes hidden wthin them Also by making vp their wreathes some handfulls good and some badd and by leaving vnstript their smallest sort of tobaccos to be beaten wth hammers at the Buttendes them soe that if they can obteyne a good cutt here and there its all these decieuers doth desier. This and many the like devices by men of corrupt myndes spreadeinge abroad in the world hath or will ere long make that our comodity contemptible to merchants and all men, and doubtless bring reproach and miserye vpon vs and ours If ther be not a tymely reformation, and be-

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cause I find euery mans eyes are shutt and [none] will see Godes patience towardes them, who hath so fatherly warned vs, as not willing to take advantage against vs: Yet this warneth not but is rather slighted and dispised Soe hath bin the tender care of the Gouernment who have sought to prevent this evill by their wholesome Lawes advice and counsell from tyme to tyme And now the Honorable company as foreseeing these euills that may come thereby, hath requiered that some speedy course may be consulted here for redresse thereof, The consideration whereof hath moved me to sett forth this my Proclamation, to lett all men know and vnderstand That if any manner of pson or psons whatsoeuer within these Islands shall after the publication hereof presume to vse any crafty dealing as formerly, as in makeing up tobacco deceiptfully as abouesaid, or shall vse any other trickes deceiptfully in making vp their Rowles wilfully to decieve men All such Tobacco being discouered by triall or otherwise Yt shalbe losse to the first makers and owners thereof And not payable for debts, rents, or vpon any other account whatsoeuer, and for the better discouery of these slye practises it is hereby ordered that all and euery p.son or psons who are planters within these Islands shall first before their Tobaccos pass from them out of their hands and possessions sett their severall markes vpon each and euery Rowle That soe it may be knowne and returned to the maker and owner thereof as cause shall requier, who shall not refuse to receive it being found deceiptfull as aforesaid but shall bear his losse if yt be returned within 3 monthes, next after the payment thereof nevertheles if any manner of pson shall voluntarily take and receive any tobacco unmarked and contrary to these provisions made as aforesaid Then yt is hereby ordered, that he or they that so receives yt shall have no benefitt by this my proclamation And it is further ordered that all manner of psons shall have liberty to use all lawfull meanes to search and try any mans tobacco before he receives yt without any contradiction of the makers or owners thereof [Next follows a prohibition against disposing of any part of the year's crop of tobacco before the day of division yearly, by the Governor and Council, according to ancient custom fixed. *MS. defective.*] It is also required that all and every Planter wthin thes Islandes be carefull to make vpp their tobaccoes in small wreathes, smooth and handsomly But now especially to observe the companyes instructions in making their Rowles not aboue 18 inches in length, and not bigger than 5 wreathes about. And Lastly I doe requier all and euery councellor in their respective Tribes to take care that this my proclamation be duely observed and kept. If any manner of persons shall refuse conformity here-

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vnto Then you are hereby also requiered to cause such persons to be arrested And sent prisoners to Georges towne there to remaine untill he or they haue vndergone the Lawes and penalties provided for Contemners of Authority And of this lett euery one take especiall notice As they will answere the contrary at thier perill Giuen at Georges Towne vnder my hand this 6th day of maie 1656.

JOSIAS FFORSTER

46. Presentments by the Grand Inquest, May 1656.

(1) wee the Grand Inquest doe present Thomas Stokes of Warwicke tribe Cooper, who by comon fame is reported to be a ffellow of a very evill condition by carrying tales and making strife and debate amongst the Inhabitants, as hath bin notoriously knowne formerly by Mr Copeland and others. And now at this present is accused to haue gone about with a false reporte and lye, wch he hath forged against Mr Wm Reighton and our worshipfull Gouernor, wch is of great concernement, as is knowne to the counsellor of Warwicke tribe and Pagetts tribe, who hath bin very deligent to enquier yt out and found that he only was the rayser of the report: Soe that we conceive he deserves to be made vncapable of any creditt to be given to any thing that he shall report hereafter vntill he be knowne to be reformed.

ffor this publique fame of Thomas Stokes he is demed and ajudged to receiue 21 lashes vpon the naked back in Warwicke Tribe and to be deemed and declared infamous.

(2) And whereas William Holmes of the same tribe is a man much about the same temper and disposition: for he hath very falsely made report of Thomas Moore and his wife that they should so vnreasonably beate and chastise their maide servant that they kild her As is to be seen by several declarations and attestations taken by the Secretary and Mr Waynwright To the Great discreditt and wrong of the said Thomas moore and his wife, for wch the sd Holmes is noe waye *minded to make* reparations to them Wee doe present the said Holmes to your worship and councell that he may be therefore proceded against according to the nature of such a heynous offence William Holmes for his offence aboue mentioned was censured to have 21 lashes vpon the naked backe at Warwick tribe and to be bound vnto the good abearing by 2 sufficient sureties vntill the next assizes[1]

(3) And whereas through the Goodnes of God, that wee haue leather made amongst vs: now yt is complayned of to vs That

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[1] The evidence of the alleged cruelty is recorded. It is somewhat contradictory, but the fact of the punishment having been inflicted is not denied.

our Tanners vse to sell away their leather to shipps w^{ch} is a great prejudice to vs the Inhabitants their soe doeing Therefore wee present the Act of the Tanners That it may not be lawfull for any of them to sell away the leather that is of this Islands growth and that the shoemakers may have yt to supply the Island with shoes

Vpon consideration of this presentment it is ordered that what Tanner soeuer amongst vs that is found or knowne to make sale of an tanned leather to any ship or shipps shall forfeit all that his leather so sould

(4) Wee the Grand Inquest hauing received a presentment concerning Robert Powell of Georges Town Cooper who hath in a notorious and vnherd of maner raysed a slander against a noble Gentlewoman our Gouernors wife who is of an vnspotted reputation amongst vs, as also her sister Mistress Paskow of whom we know nothing against (except vnder correction as yt was with David in the matter of Uriah : since w^{ch} tyme she hath carried herselfe ciuilly and modestly as beseemeth a woman): now wee taking into o^{r} consideration thes gross and foule aspersions that is now cast vpon them by the said Robert Powell Doe present yt to your wors^{p} and your council to take notice off: wee being not able to thinke or conceiue of the wrong they may vndergoe by such slanders: ffor as the envious saith That although the wound be healed the scarre remayneth.

ffor which slanderous reports raysed and proved by two wittnesses vpon their oathes, yts the sensuer of the whole councell that Powell should make a free acknowledgement in the Parrish Church of Georges to those Gentlewomen abused. And that he should be declared infamous: and receiue 31 lashes vpon the naked backe w^{ch} lashes were remitted at the humble request of his wife and childeren and for their sakes only

The depositions of the two witnesses are recorded. The punishment was remitted on the following humble petition to Madam Fforster[1]:—

Y^{r} honours poore petitioner being in his conscience convinced of his most malitious and wicked practice in defameing and scandalizeing a woman of such integrity of life and conversation : who hath rendered her virtuous selfe vnspotted and blameles in the eyes of the whole world viz your honours worthy selfe : In satisfaction I confess the life of your humble petitioner doth not in due measure ballance, and your honors sensuers too little to satisfie such Offence. Yet in respect to my spotles and inocent wife and poore children I beseech your honors to extenuate his sensuer w^ch^ to vndergo wilbe an everlasting reproach and brand of infamy to all that hath relation to your poore petitioner And so doth leave the moderation thereof to y^r^ honors consideration and tender compassion for whose eu^r^lasting welfare none shall morre earnestly pray than your humble petitioner

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[1] The graceful custom of distinguishing the Governor's wife as 'Madam' prevailed in Bermuda within living memory.

Robert Powell

The like request and earnest w^th^ the acknowledgement of the wrong done vnto M^rs^ Paskow y^r^ humble petitioner desiers may be embraced.[1]

One of the deponents declares 'that this Powell said that he would write a letter in Roman hand for Anne Morgan (the other witness) when she went to Barbadoes (that should not be knowne) to be delivered to M^r^ Paskow, that his wife might not knowe it,' proving that writing not to be yet in general use.

(5) It being also reported to vs the Grand Inquest that yt is entended by some among vs: that seeing the Lord hath bin pleased by this seasonable weather to power out a blessing vpon vs, (as he saith, that wee shall not haue roome for yt) To send corne out of the Island, And wee considering what inconveniences may follow vpon such Actinges wee beinge a poore people, and dwelling farre from friends to supply vs if we should have need and of no ability to purchase releife in such a case wee present this vnto your worship and councell, desiereing that you would prohibitt the transportation of corne if any shall attempt yt This presentment being taken into serious consideration It was ordered by the whole Court that whosoeuer he be in these Islands that shall offer to transport any corne of our growth on any ship or bark he or they shall forfeite all such corne soe taken and proved to be transported with the hogsheads belonging therevnto

(6) It is also reported vnto vs that there are some houses in this Island that makes yt their common practize and custom to entice other mens servants and children in the night season and suffer them to play at cardes for drinke and other provisions, w^ch^ is a great wrong and preiudice to their neighbors Wee present this as a great Grievance And desier that some penalty may be thought vpon to be inflicted vpon such offenders as shall transgress herein

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[1] As there is plenty of evidence, besides the curious language of the Grand Inquest (p. 73), that this lady was no better than she should be, this extorted apology throws great suspicion on the uprightness and independence of these Puritan censors.

Vpon this presentment yt was ordered by the vnanimous consent of the court sitting: that if any man or his wife shall hereafter presume to enterteyne other mens servants or children into their houses either by day or night, and suffer them to play at any vnlawfull games contrary to the Lawes in such cases provided It shall be lawfull for the Justice of that tribe or other officer to proceed against them, and bynd them to the good behaviour, and to answer the fact at the next assizes. If they still persist therein then they are to be grieuously fined

(7) Wee doe present that wicked and develish sin of lying . . . .

(8) Wee doe also present that horrible sin of sweareing and blasphemeing the most holy name of God who declareth himselfe to be a Jealous God—saying Thou shalt not take the name of the Lord thy God in vain . . . .

(9) Wee doe present the Beastly sin of drunkenes—which is so rife and comon at this tyme that wee may say with the prophett—all tables are full of vomitting . . . .

(10) Wee the Grand Inquest hearing of Warrs and rumours of Warres that are abroad and that the Spanyarde is so insolent and bould to giue our nation a challenge to fight with them, and not knoweing how soone that potent enemy may make assault vpon our Islands, have taken yt into our consideration and have made choyse of fouer gentlemen of our house viz Capt. William Williams, Leiften^t John Rawlinges, Leift Barnard Coleman, Leift. Christopher Smyth, who with the approbation and consent of the Governor have taken a view of the castles and Fforts and of all the ammuntion thereof, and have made report to vs as followeth: That for the comonwealths Castle their armes are in generall so completely kept that they are as if they came out of the armourers shopp: but for the castle ytself yt is soe leaky as yt is not habitable. The Turret, the Powder rome, the bartlements, the platformes, the salleyporte, the Pallisadoes, are all soe ruinated and demolished and soe out of order that we want wordes to describe the condition of them at present. And besides the Leiftenant and his Company complayne that they are much shortened in their allowance of Corne and particularly Sandis tribe came short 1500 of corne the last yeare. And Southampton Fort there nothing to be commended: but the platforme and all else is ruinated, and not like a fforte. And for Smythes Fort all things are in good posture but only the Powder house. And for Pagetts Fort all thinges in so good order and posture as is very comendable: only there wants hinges for the powder room doore. At all the Castles and all the ffortes is not only a great want of Powder but also of divers other things the fortes are so very much out

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of order, that they are not worthy the mentioning. So that if wee should have any onsett by an enemy wee are not able to *meet* yt at all. Wee doe therefore present this sadd condition of ours vnto your wors^p and y^r councell desiereing you to take yt into your considerations That this our presentment may be transmitted to the honorable company in the regard to the ruenated condition of all our ffortes and the Poverty of the Inhabitants That soe they may put to their helping handes to repayer them agayne

(11) Henry Morgan petitions that he may enjoy the lesser Brothers Island: refused: the Island to be kept for loanes for the bordering Inhabitants

(12) John Hurt of Davids Island presented for moving a marked Boundary tree. Fined 20lb tobacco, according to the law provided

(13) Presented as a grievance that other persons in Georges besides the Marshall sell drinke Wee do desier being it is his priveledg that yt may not be lawfull for any other to sell drinke in Georges, but the said Leiften^t Anthony White Marshall

(14) Soe yt is saith the Grand Inquest that at the last Assizes amongst other diuers abuses As the incorrigible generation of Sawyers was presented, but finding nothing executed Wee doe againe present our Sawyers for that they are so insolent as to say nobody shall make them worke. Wee conceive yt is in your wor^ps power to compell them to worke at such Rates as the Ancient Custome, being yt is their Trades This presentment being consulted by the Court sitting, yt was ordered that Sawyers shall have no more for their worke by the hundred than 3*s*, and for that they shall square and toppe all their trees they undertake to saw. And that no man for tyme to come shall . . . bargaine with any sawyer to sawe at halves, and no sawyer shall presume to take tymber to sawe at halues, if any of them shall nevertheless presume so to do, all such tymber shall be forfeited

(15) We doe likewise present all pathes and high waies to the severall places to Rendevoes as being foule and dangerous to march in by night and other tymes also. Wee doe desier that comande may be speedily giuen for the clearing of them, and making the wayes to them passible for 3 men abreast.

(16) Wee doe present to y^r considerations the inability of body, by age, of John Crofts Leiften of Pagetts fort. And wee doe desier your worsh^p that a more able man may be put in the place. Or that Capt Paynter maye fynd a man that may be able to help him traverse and loade a peece of Ordinance, as need shall requier

The names of the Grand Inquest who subscribed this presentment

M^{r} Robert Kestawen
John Dorrell
Barnard Coleman
John Rawlinges
Edward Sherlocke
Thomas Brereton
Gilbert Dill
Thomas Griffen
Henery Moore
Samuell Whitney
W^{m} Greenaway
Henry Sharpe
Godherd Asser
Thomas Burgess
Christop Smythe
William Williams

47. At a Counsel Table—May 1656.

It was then ordered That whereas ther hath bin lecteuers in Pagets Tribe held by M^{r} Browne and M^{r} Reighton, w^{ch} tended rather to stirre vp contentions than edification of the people. For prevention thereof It is thought requisite that these lectuers held in that tribe and place do cease, and that there be no joynt lectuers hereafter there or elswhere. But the severall ministers shall betake themselves to their charges appoynted them by the hono^{ble} Company nevertheles if they shall be invited hereafter to any one of the Tribes to preach, then their paynes therein taken shall be very acceptable, and being there they may performe any other office of a minister: It is likewise ordered that all such as hath bin bound over to those assizes vpon that accompt shalbe released and discharged . . provided they fall not into the like disorder by wordes or actions tending to the breach of o^{r} comon peace w^{ch} if they or any other shall presume to do, they shall each of them be liable to vndergo the vttermost the law hath provided ag^{t} the disturbers of the peace publique as aforesd

It was then ordered that it shall be lawfull for the captayne of the Castle called the kings castle, to send forth a Pilott to any shipp discouered vpon o^{r} coast when he shall thinke meet and such as are at hand when necessity shall require

At this tyme Lieft^{t} Rawlinges was nominated to be coroner of these Islands . . . .

48. The 28th of July 1656 At a Counsell Table held at Georges being present Capt Josias fforster Gou^{r}nor. Capt W. Wilkins Mr John Millner Capt Phillip Lea & Antho Jenour Secretary

Wee heareing by certeyne spaniards w^{ch} M^{r} Justinian Martin brought into o^{r} harbor the 24th of July (being distrest at sea) that ther hath lately bin a great shipp & great store of Riches in her wreckt at sea neare some of the Bahama Islands And

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by ther report is likely to be recou^{r}ed and obteyned It is thought fitt not to neglect any opportunity for the recou^{r}y thereof for the benifitt of the Lord Protector, the hono^{ble} company and of the recouerers that shall aduenture therein, yt was therefore ordered That Capt Richard Lockyer have a commission to goe forth for the discouery and recouery of the said Treasuer And that the Spaniards (being 8 in number) be kept on shoare vntill Wee heare further both of o^{r} Lord Protector and the hono^{ble} Company, and their pleasures knowne therein It is also agreed that the two men, one Irish, the other English, with the Spanish Pilot shall saile forthe wth the said Capt Lockyer and the others be kept as afore said: vntill wee have further intelligence of the truth of thinges: only ther beeing an Indian amongst these Spanyards w^{ch} M^{r} Martin desiers may be kept on his account and not to be disposed of vntill further order from him It was likewise promised that M^{r} Martin aforesaid shall have a share or parte porportionable to his service in bringing the Spanyards to o^{r} Port, if the designe doe prosper according to expectation This was granted the rather because M^{r} Martin did freely yeild vp and deliuer to the Pilott all his instruments for navigation and dealt well with the rest in returning their clothes to them. [This entry occurs in nearly the same terms in Vol. II. p. 259, and Vol. III. p. 484.]

49. July 1656. Capt. R. Jennyns, by virtue of a power of attorney from Sir Benj. Ruddyerd and Mr. John Grant, lets a share of land of 25 acres in Pembroke Tribe to Gideon Sears and William his son

for the term of their two lyves, at the annual rent of 220 lbs of good and marchantable Tobacco the growth of the Islands Two Capons and a Turkey Cocke at the usual tyme of division yearly The Tobacco to be casked and shipped as Captain Jennyns or his assignes shall order. And also to ship yearly with the other Tenants his proportion of Two hundred weight of Potatoes and Two hundred of Orranges to be sent by the magazin ship yerely to the Landlord, if the said ship will receive them, wth a clause of reentry for non payment But if the hurricano shall blow the Tobaccoes, then that yeres rent is to be made good with the next, or if in tyme to come tobacco be totally deserted Then the Tennants for the tyme being are to pay such rents as the Governor & Councell w^{ch} shall be, shall order. And also a covenant to improve the lands by planting vineyards and young cedars.

Three other shares are let on similar terms.

50. At a Quarter Court deriuative for the Somer Islands Company, held at the accustomed place in Watling Street, September 2, 1656.

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The Grand committee doe this day report in Court their Opinion touching a Petition that came ouer in the companies box of Ltres, directed to the Rt Hon^{ble} the Earle of Deuon and subscribed by seuerall of the Inhabitants of Deuon Tribe in the Somer Islands for confirming vnto the Inhabitants of the sayd Tribe successiuely for euer the vse & p.priety of a piece of ground whereon their Church is built, and which is set apart for the decent buriall of the dead: ffor that some persons who pretend they have bought the land vpon which some of the Churches in the said Islands stand, do giue out that they are become propretaries & owners of the Churches built thereon, and threaten vpon euery displeasure to pull downe those churches. And it is therevpon thought fitt and ordered by this Court That the opinion of the said committee be confirmed, and that the Governor & Councell in the sayd Islands do secure the quiet and peaceable enioyment of the Church in Deuon Tribe there, and all other Churches in the Other Tribes to the Inhabitants of the Tribes respectiuely And this court doe nominate & appoint M^{r} Richard Chandler and M^{r} Perient Trott or either of them to p^{r}sent the said Petition to the Earle of Deuon, or the countesse Dowager his Lordsps mother[1]

51. At a Counsell Table 22 July 1656.

It was then ordered that nevertheless a fformer order made by the Gou^{r}nor & Counsell that the severall ministers should have liberty to preach at any the Tribes to w^{ch} they were invited, yet now of late wee fynding a great inconveniency like to growe thereby, yt was thought fitt to send forth a warrant to charge euery of the said ministers to keep themselves to their respective tribes, and not to stirre vpon any invitation whatsoeuer vntill further order be taken for a more quiett settlement of thinges of that natuer, and ordered also that a warrant should yssue forth for that end and purpose w^{ch} was done accordingly only with this reservation that M^{r} Burr should be at liberty, being not yet admytted and approved by the Company[1]

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[1] No churches were consecrated in Bermuda, nor indeed had any episcopal functions, such as ordination or confirmation, ever been discharged in the colony, before the year 1826, when Dr. John Inglis, D.D., Bishop of Nova Scotia, was sent down for the purpose. The Islands were attached to the see of Newfoundland down to 1876. The Roman Catholic population is and has always been very small; until within a few years it was under the episcopal supervision of the Bishop of Charlestown, S.C., and is at present under that of the Archbishop of Halifax, N.S. That the present traditionary attachment of the people of Bermuda to the Church of England should be largely leavened by Congregationalism, or that in former times irregularity reached the stage at which everything distinctive disappears (see under 1685), can under these circumstances be no matter of surprise.

52. At a Quarter court Deriuitive for the Som^{r} Iland Company, held at the accustomed place Watling Street London, on Tuesday the 2 Sept 1656

Whereas information hath bin giuen to the Company That great quantities of Land in the Som^{r} Ilands w^{ch} were formerly occupied in planting Tobacco, are now employed in grazeing and feeding of Cattell, by meanes whereof the poore of the said Ilands are like to be deprived of the benefitt of their labors and their onely subsistance, and the Iland ytselfe to bee dispeopled and left destitute of defence. And that information hath likewise bin giuen That the Cattell that hath bin bredd and grazed as afforesaid are transported to the Barbadoes and other places and ther sould and returnes made thervpon in stronge liquors, w^{ch} hath bin imported and vented in the said Ilands to the great disorder and disturbance and distemper of the inhabitants there, the exhausting of the treasuer and impoverishing of the place, and high dishonor of Almighty God. Vpon consideracon of the same this court do thinke fitt and order that from and after the second day of Feb. w^{ch} shalbe in the yeare of our Lord God $165\frac{7}{8}$ noe pson or p.sons whatsoeuer shall employe any land in the Som. Ilands for pastuer land to the feeding or grazeing of Cattell ther: but what hath bin soe vsed in the yeare 1635. And that all lands that hath bien converted to pastuer since that tyme shalbe ymployed as fformerly. And eu^{r}y person offending therein to pay for eu^{r}y acre of land that shalbe employed to the contrary p.portionably more or lesse the summe of forty shillinges The same to be levied by way of distresse or recorded by way of accon in the name of the Gou^{r}ner and company here as it shall be thought most convenient.

(2) Captains of vessels arriving at the Somers Islands are required to give a Bond of £500 that they will not carry off from the Islands any Seruant's or Debtor's Tobacco Cedar or any other prohibited Commodity, of the growth of the said Islands: before they can be allowed to discharge cargo.

This order was renewed at a General Court, Feb. 22, $166\frac{9}{0}$ (MS. iv. p. 89.)

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[1] Jonathan Burr was apparently not in orders. He was dismissed from his office of Reader in 1661. His will, proved March 8, $166\frac{5}{6}$, is extant, and contains nothing to show that he was in the ministry.

53. At a Quarter Court for Somers Islands, Sept. 16, 1656.

The humble petition of William Steward and other Scottsmen complaining that they haveing bin taken prisoners at Worcester and therevpon sent ouer to the Som^r^ Ilands to serve the Colony for 4 or 5 yeares only; were drawne by the sinister practice of Capt. Richard Jennings to sett their hands to Indentures to serve 7 yeares contrary to the orders and directions of the State who limitted only 5 yeares And therefore pray that they may be freed from service at 5 yeares end According to their countrymens tyme in other plantations. The same being taken into consideration by the Grand Committee to whom yt was referred Their opinion therevpon was this day reported in Court viz that forasmuch as vpon search made in the Admiralty court it doth not appeare that ther was not any tyme limited by the State for the petitioners service. The said Comittee doth thinke fitt that the petitioners be left to serve accordinge to their respectiue indentuers w^ch^ being vpon question put to the vote, yt was voted in court and ordered accordingly[1]

54. The Council of State, Sept. 13, 1656, refers the whole business of the Somers Islands to the Committee for America, to consider it and report what they conceive fittest to be done for the safety thereof. The Governor and Company of Adventurers are not to make any alteration in the places of command without approbation of His Highness and Council. The 'Loyalty' now bound thither is not to depart without special licence. (C.P. p. 448.)

55. At a Quarter Court for Somers Islands, Sept. 24, 1656.

This court being moved by M^r^ Perient Trott that he might have liberty to take from his owne land on the Som^r^ Island 5 Tons of Cedar and yt was there *vpon thought* fitt and ordered that liberty be granted to the said M^r^ Trott or his assignes *to load* in the Good ship Loyalty whereof Cap^t^ John Limbrey is

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[1] After the defeat of Charles II. at Worcester, Sept. 3, 1651, we learn from Clarendon that 'They who fled out of Worcester and were not killed, but made prisoners, were treated best and found great humanity, but all the foot, and others who were taken in the town, except some few officers and persons of quality, were driven like cattle with a guard to London, and there treated with great rigour; and many perished for want of food; and being enclosed in little room, till they were sold to the plantations for slaves, they died of all diseases.'—'History of the Rebellion,' Book xiii.

M^r^ for *this present* voyage ffive tons of Cedar proved of the growth of the said M^r^ Trotts *land in the* Somer Ilands afforesd any law or order, injunction p.hibition or restreint to the *contrary, in* any wise, notwithstandinge.

THOMAS MARTIN Secr.

56. The allusion to the Rev. Robt. Browne as having been one year in the island determines the date of the following letter to have been 1656, probably September. He was certainly appointed in 1655, and this is consistent with the signature of Major-General J. Disbrowe, who was appointed Governor of the Company in that year (C. P. p. 449):—

The Company to Governor Fforster.

(1) Yours of the 24 of Maye 1655 with the bondes wee receaved the 24th of July ffollowing by the ship Elizabeth & Anne whose despatches unto us w^th^out order we can noe waye Approve of or comend, when wee consider how preiudiciall the transporting of goodes out the Islands by any other than o^r^ magazine shipp might have proved to the Company & Islands in case the Swan of burden 370 tonnes, contracted for in August 1654 (but miscarrying in her voyage) should have arrived at the Islands. Wee are not Ignorant of the losse susteyned by the planters as well as the marchants on such a miscarriage. But yet wee thinke fitt to mynd of that regard w^ch^ ought to be had to o^r^ orders and comands, w^ch^ wee would not haue dispensed w^th^ upon contrary windes or weather. And that you may be further directed herein wee have sent you the inclosed order w^ch^ wee pray you may be observed.

(2) It hath bin our great care to supply the want of ministers now in the Islands Although our successe herein hath noe waye answered our indeavours. And wee haue had more than ordinarye hopes that the minister wee had sent you by the Swan would have made good the Testimony of him giuen unto us And the solemne engagements w^ch^ hee had made before us: but he haveing receiued his commission And haveing bin informed ag^t^ tuching disorders commytted by him whilst our magazine ship lay in the Downes, did afterwardes most shamefully desert the shipp, the service, & all his engagements.

What is conteyned in y^r^ Generall Letter tuching Doctor Browne now a preacher in the Som Islands [1] And what is mentioned in his petition have bin considered of by us And wee have thought fitt to order Doctor Browne £40 to be paid unto him or his assignes for one yeares service ending at midsummer last past. And upon that information wee have had of the generall approbation of him by the people wee further thinke fitt to continue him minister in the Som^r Isl. upon triall & until further order And for other particulars in his petition wee shall consider of them in due tyme

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[1] Rev. Robert Browne, D.D., appointed September 1655. Traceable in Hamilton Parish in September 1658; in Pembroke Parish, April 1658 to August 1660.

(3) Wee are sorry to here that the odious sinnes of drunkenes sweareing & whoreing do so much abound amonge you to the great dishonor of god & the scandall of religion And that wee are necessitated so often to mynde you of a carefull endeavour to suppresse such enormous evilles, we have therefore thought fitt to send you the late Penall Lawes of England made & provided & do pray you the Gou^rno^r & Councell to put the same effectually in operation w^th out partiallyty or respect to any particular persons whatsoeuer

(4) Wee comend y^r care & forwardness in repaireing the Forts & have considered of the want of amunition And besides the 4 Barrells of powder sent by the 'Imployment,' wee have sent 3 Barrells now & thirty musketts by this Shipp

(5) Wee sent you a Commission by the 'Ymploym^t' for examining upon oath the busines of the late *Rising* in the Som^r Ilands And by our Generall letter did requier you to take securitye for all *who* upon examynation should be found to haue bin cheife actors & ffomenters of the s^d rising *yf* any of the Counsell should be found to haue had a hand in the plottinge & contriveing or *aiding* of the said Rising That such be forthwith suspended the Counsell: And wee Againe as *wee* doe now requier you to put the said commission in execution: As also the fformer order of the Company ffor seizing the pson & estate of Capt Turner as Cheife Actor in the said risinge & to certifie us of y^r proceedings herein

(6) *Touchin*ge the goodes taken out of the shipp the 'Hopeful Luke of London' fallen upon the rockes *and lost*, wee have long since despatched our Letters in that behalfe And wee think fitt to send *you al*soe Coppies of what wee then sent

(7) *Wee have* considered the Gen^rall desiers of the Inhabitants ffor despatching our magazine shipps *in futu*re in August, and shalbe ready by all endeavours to answere their desiers as wee have *done* in o^r last

(8) Wee giue you to und^rstand that at the motion of M^r Phillip Lea that he might have halfe an acer *of common land* in p.portion to eu^ry share of land he enioyeth in the Som^r

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Ilands, to be sett out for him by the Gou^{r}no^r & Councell according to the Article 106 in the booke of lawes, wee did order that you the Gou^{r}ner & Councell should grant y^r warrant for setting out the land If yt should appeare unto you That the like petition (qu. concession ?) hath bin already made (as he *himselfe* affirmeth to have bin done) to owners of Landes in other tribes in the Som^r Ilands *Wee* hauing since received information of the great preiudice like to ensue to *diuers persons in* case the said order should be put in execution doe therefore think fitt *that the* execution of the order be suspended And that you the Gou^{r}ner & Counsell doe *expresse your* opinions to us concerning the same

(9) The Tobaccos come over in this shipp have proved so badd that the Company thereby *lost* much of their duties and the planters of their profitts And wee hope they will be excited from the consideration of theire losse, to make better Tobacco for the future And wee pray you the Gou^{r}ner & Councell to give strict charg That the Tobacco made in the Islands be well & sufficiently cured & true made upp That soe the *sending of* badd & rotten Tobacco, as heretofore, may be prevented

(10) Wee have written our letters unto M^r White & the rest at Elutheria inviting them (as many of them as are willing) to the Som^r Islands And haue assignd M^r White *the house* & the gleabe land at the overplus for his reception upon arrivall and *desire you in* your letters to them to signifie so much . . . .

Wee have thought fitt to nominate & confirme severall military officers as ffolloweth viz

ffor Warwicke & Pagetts tribes	Capt^n Phillip Lea Leiften^t John Rawlinges Ensigne John Waynwright Ju^r
ffor Sandis tribe	Leiften^t. . . .
ffor Southampt. Tribe	Leiften^t John. . . .
ffor deuon & Pem. tribes	Capt Phillip Chaddocke Leiften^t John Elwicke

You are to take notice that the Capt [Leiften^t] & Ensignes are Commission Officers and you Capt fforster to these have to grant commissions, ffor other particulars mentioned in y^r generall letter wee shall giue you *an answere* thereto upon o^r magazine shipp And thus com̄ending you to the grace of God *we rest*

Your very loueing *ffrendes*

JOHN DISBROUGH — Edward Poade — Perient *Trott*
Owen Rowe dep. — Rich Chandler
Joseph Todd — Phillip Lea

57. Att a generall Court for the Som^r Island company held at the accoustomed place in Watlinge Street London monday 7th of September 1656 [the date entered is 1655, but this must be a clerical error]

Whereas yt was ordered the 19th of Aprill last past that M^r William Reighton who hath lost and suffered by the late troubles [1] in the Somer Islands should be confirmed in Hamilton Tribe [2] as Reader preacher & expounder of the word of God there, and receaue encouragement & assistance from Gou^rnor and Councell in the said Islands to read preach and expound in that Tribe, and in consideration of his paynes to be taken therein should have & inioye an House and **2** shares of Gleab land there: heretofore in the possession of one Hooper vntil further order to the contrary. And whereas the grand Committee did this day make reporte in Courte That the house assigned to M^r Reighton as afforesaid is situate in Smythes Tribe, and that they think fitt that M^r Reighton shall haue liberty to read preach and expound in both Tribes: After consideracon and debate thereof it is thought fitt and ordered That the said M^r Reighton shalbe confirmed to read, preach and expound in Hamilton and Smithe's Tribes, and shall haue liberty to receave encouragement and assistance from the Gouvernor and Councell in the said Islands, to officiate in the same. And in consideration of his paines to be taken as aforesaid shall have and enioye the said house in Smithes tribe and 2 shares of Gleab land in Hamilton tribe, vntill further orders to the contrary

(Signed) John Disbrowe Owen Rowe and 7 others.

58. Somer Islands y^e 5th day of October 1657.

To all persons to whom these presents shall come greetinge Know yee that wee Capt^n ffloreutia Seymer and Capt Phillip Lea by virtue of our Letter of attorney beareing date the 30th August 1657 giuen granted and made to vs the aforesaid Capt fflorentia Seymer and Capt Phillip Lea, ffrom all such persons as were banished from the Somer, Islands and receiued any damage by the same: doe by virtue of the aforesaid letter of Attorney exonerate & acquitt and discharge John Dorrell of the Somer Islands senior, his executors and assignes, from all

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[1] The word was first written 'Rising.'

[2] This Reighton is referred to by Governor Coney in 1685 as 'old William Righton, formerly a preacher here, now turned Lawyer, a Taylor by Trade, and a long time Servant to Hugh Peters.' He was one of the most inveterate enemies of the Bermuda Company in its latter years. (Col. Entry, vol. xvii. p. 187.)

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maner of Accons or accon that he the said John Dorrill did or caused to be done in or about the inconsiderate Risinge in the said Islands Against any pson or psons that were sufferers in the said Islands, or banished from the same. And wee the said F S and P L doe acknowledge to haue receiued of John Dorrill ffull satisfaction for and in behalfe of all the banished and disturbed psons. As wittnes our hands and seales the day and yeare aboue written

Sealed with seals of fflorentia Seymer
Phill. Lea

The aboue written signed sealed and deliuered in the psence of
Josias fforster Gouʳnor
William Saile
George Tucker.

59. At a Council held Oct. 7, 1656.

It was ordered that the day of division shold be vpon the first monday in the month of November 1656 . . . . and that a proclamation should issue forth about the negros according to the tenor of a late order provided in that case

There haveing been much debate betweene Capt Richard Locker and his Eleutherian passengers about damag and average of the Rebecca and Anne att length yt was concluded that nevertheles all former orders made betweeen Captain Lockyer and them, that vpon the payment of 20lb in ready money and 15 lbs in Ambergreece of the best sorte at 25*s* p ounce That the ffreighters and passengers and merchants shall have liberty to discharg and vnlade the said shipp and take of her goodes: wᶜʰ money and amber is in consideration of damag and averages And vpon this agreement all differences and engagements about the said ship are to cease betweene them and the said owners and ffreighters. The ffreight and passengers[1] only excepted

Ther not being psent money in the handes of the ffreighters Capt Lockyer is content to stay vntill the 19th day of this Instant month and the ffreighters doth promise to make payment.

60. The Committee for America report to the Council of State, Oct. 7, 1656, upon the state of the Somers Islands in reference to their constitution, governing powers, fortifications, militia, &c. They recapitulate the

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[1] These passengers were probably some of the persons banished to Eleutheria in 1649. In March following, the ship 'John' also brought twenty passengers from Eleutheria, and in one or other of the parties it is probable that the Rev. Nathaniel White returned to Bermuda, although his name does not recur before 1658.

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Patent granted by King James I. in 1615, and the commission superseding, granted on June 23, 1653, by the Council of State, because of the misgovernment of the Company in England and the disposition of the governing power in the islands to invite Charles Stuart's interest, at the time of the Barbadoes revolt, to take possession thereof. They state that the islands are for the most part naturally fortified or otherwise secured by four forts with 60 guns and five companies; they contain 1,500 men able to bear arms, and the commands in good hands. About 3,000 inhabitants with but one minister, 'only wee understand some of the good people carry on their church affairs by such as are guifted among them.'[1] The charges of Government amount annually to £500, and the duties from tobacco to £800 per annum. It is recommended that the government of the Company be again vested by Patent in certain select persons approved by His Highness and the Council of State; that the government remain at present in the hands of those in power; that fitting ammunition be forthwith sent; and that a duty of 1*d.* per pound be levied upon all tobacco from thence. (C.P. p. 449.)

To this is annexed a copy of the Commission of June 28, 1653, *ante*, p. 42, and a list of twenty-five persons, who it is desired may be appointed by His Highness and Council a Company for the government of the Somers Islands, General Disbrowe to be Governor, and Colonel Owen Rowe Dep. Governor, with power to choose officers for the government of those islands. No court to be kept unless the Governor or Deputy-Governor be present. (*ib.*)

61. Colonel Owen Rowe to the Council of State. He states that in 1653 the government of the Somers Islands was entrusted to certain persons by commission (see p. 42), which he delivered to the Committee for America, who thereupon chose a Governor and all other officers for the government of those islands. A commission was afterwards sent over to certain men well affected to the Commonwealth, authorising them to examine who were the authors, contrivers, and abettors of that rebellion.

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[1] Slaves cannot be included in the population; see under 1679.

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And whilst these things were vnder examination in the Islands, divers of those gentlemen that were formerly interested in the government of those Islands by virtue of a Pattent granted by King James, did assume vnto themselves authority by virtue of that ould Pattent, and voted out the Governor and Deputy Gov^{r}, w^{ch} the persons intrusted by the aforesaid councill had chosen, and slitingly layd aside that commission of the council, refusing absolutely that anything should be acted, but that which was acted and done by and vppon the Pattent, and such Lawes as were made in the late King's time, when all processes, &c., did run in the Kings name, both for Church and state. This alteration hath put a stop to the discouery of that Rebellion, the releiuing the oppressed, and altering of those Laws w^{ch} were made in King James, and the late king's time, for forcing a conformity to kingship, and y Church discipline that was in force in those Dayes.

The people also met and declared that they had heard that King Charles was put to death,[1] which act they abhorred as bloody, traitorous, and rebellious; proclaimed King Charles II., and agreed not to be governed but by the King's laws. They enforced the Oath of Supremacy, imprisoned those that refused to take it, and banished some of the Independents, who they affirmed were of that party that put the King to death. He [Col. Rowe] hears that the old Company have had several hearings before the Committee for managing His Highness's affairs in America, who have drawn up a report to the Council of State. He adds that large quantities of cedar have been improperly brought away from the islands. (C. P. p. 450.)

62. A Coppy of the Generall Ltre [dated 14 Oct. 1656] sent by Capt Limbrey who arrived here the 7th of November 1657 and coppied out & sent by John Jenkins in 'the Som^{r} Ilands marchant' as ffolloweth who arrived here the 11th October 1657.[2]'

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[1] See vol. i. p. 650. There is great confusion of dates in many of these statements; this occurred in 1649.

[2] Captain Limbrey, as appears by a subsequent letter of August 26, 1657, broke his engagements with the Company, went first to New England, thence to Barbadoes, thence to Lisbon, before he completed his voyage to Bermuda, whence the transmission of this copy of the letter, and its arrival a year after date:—'These lynes we send you not knowing whether our former dated 14 Oct 1656 are come to your hands . . . . not knowing what may become of Capt Limbrey. . . .'

(1) Capt fforster y^{rs} of the 24 of Oct and 27th of December 1655 by the Employment, and yo^{rs} of the 8th of feb 165$\frac{5}{6}$ by the Loyalty we have received. And by both shipes a returne of such miserable tobacco that for the most part it will not countervail the charges of transporting. the consideration of which did move us to send you a few lynes by way of Barbadoes Thereby advising you to put in execution all those Lawes and orders formerly made by the company against tobacco corrupt and deceipfully made vp And since to resolve of making a Lawe that all such persons as shall deceipfully make vp any Tobacco by themselues or others by their appoyntment, and all others in whose hands any such tobacco shall be found to be corrupt and deceipfully made vp and offering the same in payment shall pay in good tobacco duble the quantity of such tobacco. And hereof we thought good to giue you this advertizement it being high tyme to proceed against such abuses, when the company for y^{r} Tobacco can receive noe duties, nor you from the company can be supplied with necessaries

(2) Wee haue received information that all the little Islandes on the great Sound and elsewhere in the Somer Islands are planted wth people and have bin disposed of by you the Gouernor and rents rec^{d} for them, but for as much as noe accompt has bin given vnto vs thereof nor of the schoole land, publique Land, nor other publique revenue in the said Islands Wee doe therefore requier you the Gou^{r}nor and councell to giue and returne vnto vs an accoumpt of all the publique Island, school land publique lands or other publique revenue, wher they lie, in whose possession they now are, what rents are reserved therevpon and how the same hath bin disposed, w^{ch} accoumpt wee shall expect to have transmitted vnto vs by the next returne of o^{r} magazin shipp

(3) By the Elizabeth and Anne. John Stowe M^{r} we sent you a letter dirrected to M^{r} Nathaniel White minister at Eleutheria enviting him and all those with him (as many of them as are willing) to returne from thence to the Somer Ilands and assigning M^{r} White y^{e} house and gleab land at the ou^{r}plus for his reception vpon arrivall—but hauing receiued no accoumpt either from you or them Wee now pray you the Gou^{r}nor and councell, by your next letters to send vs an accoumpt of the deliuery of those letters, and the effect of those said invitations there vpon

(4) A petition have bin p^{r}vsed by vs subscribed by divers of the Inhabitants of Devon tribe complaininge that some psons as well in that as in other tribes in the Som^{r} Islands, pretending that they haueinge bought the land vpon the w^{ch} some of the churches there do stand, And are become proprietores and

owners of the said Churches built therevpon and threaten vpon any slight occasion to pull them downe. A thing soe contrary to Christian religion that we scarcely can imagine any amongst you will dare attempt yt. Yet wee think fitt vpon this complaint to requier you the Gou^{r}nor and Councell to secuer the quiett and peaceable enioyement of the Church in Devon tribe aforesaid, and all other churches in other tribes, to the Inhabitants of the Tribes respectively.

(5) Wee have considered w^{t} hath bin mentioned in the Gou^{r}nors Letters concerning two weavers of Dimity, Stirrop and Wright, w^{ch} were long since sent ouer by the company to the Som^{r} Ilands. and had Longbird Iland there assigned them to inhabitt vpon And wee doe requier you the Gou^{r}nor and councell to examine and enquier whether the s^{d} psons have planted by themselues or any other by their appoyntment any Tobacco in Longbird Island since the tyme they first inhabited therevpon and whether they haue continued their weaving as formerly And that you send vs account thereof by this shipp.

(6) Divers complaints have bin made vnto us, that great burthens have bin of late ymposed on the people of the Som. Ilands by Taxes and levies wthout any cause showne for the same. And appeales have bin presented by the Deputy Gou^{r}nor after execution sued out and served: ffor redressing whereof in order to the preservation of the libertyes and providing for the welfare of the people—wee doe requier you the Gou^{r}nor and councell to transmitt vnto vs a Coppy of all such Lawes as have bin made in the Som. Islands, and particularly y^{e} Law (if any such be) for stayeing of exicutions after the same hath bin sued out and served. And wee doe strictly p.hibit and forbid the makeing of Lawes and laying Taxes vpon the people without order of the Generall assembly, the same beinge contrary to the 143 Article of the book of Orders

(7) By the enclosed order bearing date the 2 Sept last (1656) you will perceive what are the grounds & reasons *that moue* vs to restraine that ouer egar and greedy desier of some in occupieing great quantityes of Land in the Som. Islands to the feeding and grazeing of cattell, w^{ch} were formerly imployed in the *groweing* of Tobacco: w^{ch} order wee do requier to be forthwith published, to the end all psons concerned may have tymely notice thereof and may conform themselues thervnto accordingly. Wee haue taken into consideracon those manifold euills occasioned by importing strong liquors *from seue*rall places into the Somer Ilands and are resolued vpon making a law that all *strong liq*uors of what kind soeuer that shall be ymported into the said Ilands from any place but from England, be Confiscate. And that a liberty be granted only for a

moderate quantity from hence to be imported, of w^{ch} you may take notice

(8) Wee have bin informed that one of 4 guns recovered from wrecke in Capt Turners tyme hath bin sold for salt by you Capt fforster w^{ch} as yt was done wthout our order, *in that* regard may justly deserve a reproofe, soe wee doe requier and expect for the ffuture that by yo^{r} care the rights and goodes belonging to the Company be not disposed of but by order from the Company only.

(9) In y^{r} last generall letter wee were giuen to vnderstand that you had taken vp *of Capt Limbrey* (but without any order from vs) as many armes and ammunition as cost 55^{lb} j*s* 8*d* and had charged the payment of that money by bill of exchange vpon the Company. Wee can but take notice that hereby you seeme to question o^{r} care in providing for y^{r} safety and our owne interests in the Islands, in eyther of w^{ch} wee hope wee have not bin so remiss as to have put you vpon soe suddayne thoughts to provide for y^{r}selues, and *not* have waited for the returne of Stowes shipp, by whom we have sent you a greater quantity of powder than what you have taken vp of Captain Limbrey We are not ignorant of what grounds you have of excuse for soe doeinge from the expectation of an enemy so near you. But wee would not have you thus to anticipate *our will* of you or contract any debts vpon the company wthout a dispensation from vs. We have ordered our Treasurer to pay this debt, and doe expect that from henceforth you charge no more bills of Exchange vpon the Company wthout there order

(10) Wee haue considered the information that is given in your last genall Letter touching the decaies of the shereifes house and y^{e} ententions of you the Gou^{r}nor and Councell to take yt downe, and add part of yt to the Gou^{r}nors house for a wthdrawinge roome. And also of the decaies of Warwick fort. And wee doe thinke fitt to order that you the Gou^{r}nor and Counsell doe take speciall care that the sd house and fort be repaired at the charg of the Islands not wthstanding any pretence to the contrary.

(11) Tuching such persons as have bin sufferers in the late rising and had commenced actions *against them* that had done them psonall wronges or Iniuries And vpon a hereing of a late assize in the Som^{r} Islands had consented and agreed in court to stand to the award of particular arbitrators chosen by themselues and others indifferently, for satisfaction to be made and giuen them for these wronges and Iniuries: wee earnestly desiring that the differences on all sides be composed, peace and quiettnes setled and established: and all occasions of maynteynance of animosities among the people prevented, Doe think fit and order

that the same be confirmed. And do requier you the Gouʳnor and councell to take order that the same *be done and* performed accordingly. And that you use your uttermost endeavour to preserve the countrey in peace and quiet

(12) Upon information giuen vnto vs that severall quantities of Cedar and tobacco haue lately *been sent* out of the Somʳ Islands to the great pr.iudice of the Company and plantacon. Contrary *to and not*withstanding a commⁿ granted by vs to John ffox gent. to execute the office of searcher and surveyor there and to seize all tobacco that should be found shipt in any other than our magazin ships, or cedar to be transported wᵗʰout Lycence for the same, Wee have thought fitt to repeale and make voyd that comission, and for good reasons showed vnto vs have appointed Mʳ Daniell Gaud by especiall comission to execute y place of searcher and surveyor, and further to receiue and demand the quantityes of gunpowder after 8 ounces per tunne and shott proportionable, to be payd for all shipes arriving at the Somʳ Islands,[1] to be paid to the sherriffe there for the Tyme being, for the vse of the plantation as *well as to see* what wood shalbe taken from off the publique landes for fuell for shipes, and that noe wast be commytted therein Wee are very sensible that the neglect of this order and others tuching thes particulars hath occasioned exceeding great preiudice to vs and the colony, wᶜʰ wee have endeavered hereby to prevent for the futuer, And an accompt wilbe returned vs of this trust from tyme to tyme

(13) Vpon the petition of Henery Paskow to restore him to his place and office of marshall from wᶜʰ he was displaced by the Gouʳner for wordes as he said, spoken agᵗ the illegall proceedings of Capt Locker (a stranger) in venting by retaile diuers goodes and marchandize to the preiudice of the companyes goodes, wee haue thought fitt and ordered that he be restored to his place of Marshall vntill sufficient cause appeare to the court And further we have granted vnto the said Henery Paskow a commission to *reside in* the Som. Islands and to be assisting to the surveyor in preventing the *shipping of Tobacco* and cedar prohibited by vs.

[*Then follow some directions respecting five land claims.*]

(14) Upon the petition of Dʳ Thomas Browne now a preacher in the Somer Islands, wee haue ordered oʳ Treasurer to pay vnto Mʳˢ Sarah Bardwell or her assignes according to a

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[1] This is one of the earliest allusions to what is known in Bermuda as the Powder Commutation Fund, a fixed sum of £480 per annum, reserved as a Droit of the Crown out of the General Revenue. It was afterwards raised to 1 lb. per ton.

Bill of exchange charged by the said D^r^ Browne vpon the Company the sume of 10^{lb} And more to the said D^r Browne or his assignes the sume of 30 pounds, both w^{ch} sumes amounteing to £40 to be for one whole yeares salarye to the said D^r Browne as minister in the said Islands due and payable at Midsomer last past

(15) Wee hope you will receive by this ship a hhd of Taraco w^{ch} by your late gen^{r}all letter you desiered might be supplied and sent vnto you for makinge a Cisterne for the castle heretofore called the Kinges Castle in the Som. Islands[1] And if the same may be procured at Plymoth wher o^r magazine ship is taking in her ladeing M^r Daniell Gaud hath promised there to take yt vp and shipp yt on the Companyes accoumpt And to charge his bill of exchange for the same vpon the Company, which wee shall take care to satisfye and discharge All other Petitions presented and appeales made vnto vs you shall find them answered and determined according to the severall orders of court herewth sent you. And thus committinge you to the Grace and protection of the almighty wee rest

Y^r Loveing ffreinds

WARWICKE

JOHN HEYDEN Deputy
Leonard Warde
Richard Chandler

Anthony Peniston
Sam. Smith

63. The Governor and Company, 16 October, 1656, present a petition to the Lord Protector. Reverting to answers formerly given to charges brought against them, they complain that, having elected officers for the government of those islands, they were about to send them over with several commodities and ammunition, when they received two orders from the Council of State, forbidding any alterations to be made in the government, and restraining the ship from going on her intended voyage (see p. 81). They pray that they may be secured in their just rights, and have liberty to proceed according to their fundamental constitutions, and that the complaints against the Company in 1650 and later, and the Company's answers, may be again brought beforet he Council of State. (Signed) THOMAS MARTIN, Secretary. (C.P. p. 450.)

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[1] Taraco; some cement; this substance is not known to the editor.

CHAP. XI.
1650–1658.

64. The Council of State, November 13, 1656, directs the Report of the Committee for Jamaica concerning the Somers Islands, together with the above petition, and the whole business, to be referred to General Disbrowe, Colonel Jones, Lord Strickland, Lord Lambert, the Lord Deputy of Ireland, Colonel Sydenham, or any two of them, for their report. (*ib.*)

[The answer to this reference does not appear.]

65. The Council of State, November 18, 1656, directs that Captain Wilkinson, who commands the King's Castle in the Somer Islands, be continued in that employment, and addresses a letter to him expressing the importance of the Somer Islands to the Commonwealth. Supposition that the Spaniards will endeavour to gain a footing there. Doubtful that a principle of disaffection may yet be retained by some of the inhabitants. He is encouraged to attend to his duties as commander of the Castle, to keep a vigilant eye upon the malignant and discontented party, that they may have the less opportunity to prejudice the islands' safety, and to use his best endeavours to secure the interests of the Commonwealth. (C.P. p. 451.)

66. Vpon the 2nd daie of November 1656 there was consultation held by the Gouernor and all his counsell about the conspiracy and plott that the negroes in this Island had contrived for cutting off and the distroieing the English in the night, w^{ch} being cleerely manifested then yt was ordered that they should come to a triall by a marshall court, whereupon there were sumoned downe to Georges thes gentlemen following who were appoynted for their triall viz

Capt William Wilkinson
Capt Stephen Paynter
Capt Horatio Malary
Capt Godherd Aser
Capt William Williams
Capt fflorentia Seymer
Leiften^{t} Gualtier Abbott
Leiften^{t} John Rawlinges
Leiften^{t} John Rivers
Leiften^{t} Myles Rivers
Leiften^{t} John ffox

Their Proceeding is as ffolloweth

(1) Imprimis yt being put to the vote whether Blacke Anthony M^{r} Richard Hunts negro (according to evidence giuen in) doth stand guilty of that plott and conspiracy against the

English to cutt them off and destroy them It was the unanimous vote and consent of the court that the said Blacke Anthony was Guilty

Cabilecto Mr Gilbert Hills negro
Ffranck Jeames Mr Devitts negro man
Black Tom Capt Thomas Burrows his negro
Willi fforce

were all convicted in nearly the same words It was put to the vote whether black Robin Mr Wisemans negro man were guilty of the conspiracy and riseing vp agt the English to destroy them It was judged by the generall vote that he stands guilty as an accessory not as a principall. In the same terms Tony Capt Christopher Leas negro.

(2) It was also put to vote whether blacke Jacke Longson's negro, and black Harry Jonathan Turnors negro, and black —— Capt Leas negro are guilty of the conspiracy against the English It is observed that by their confession they were instruments of the discouery of the plott in generall the Court therefore doth judg them worthy of favour of life

Nevertheles there were 9 severall negro men condemned by the Court aforesaid yet there were only 2 of the cheife actors executed, namely Black Tom the servant of Capt Thomas Burrowes who was put to death at Georges Gallowes, And the other Cabilecto, servant to Mr Gilbert Hill who was executed vpon a Gibbett sett vp by the Gouernors appoyntment vpon Coblers Iland

(3) William fforce condempned as accessory was carried to a Gibbett sett vp at Herne baye, wher yt was hoped he would have confessed the plott amongst the negroes. And although he was putt to yt to the uttermost yett confessed nothing, soe as the Gouernor gave orders to the sherriffe was repreived, and after sent away to Segatoo [Eleutheria] with the rest of the free negroes, who besought the Gouernor that they might be banisht to that Iland rather than to the Indias, wch request his his worship wth his counsell did condescend vnto And were afterwards shipt awaie in the 'Blessing' bound thither

67. A Proclamation, November 6, 1656.

It is knowne vnto all men who are or hath bin Inhabitants within these Islands that ther hath bin great care taken from tyme to tyme by the Gourmt here, for the suppressing of the insolencies of the negros amongst vs, and for restreineing them from night walking and meeting together, and for other inconveniences that might grow therby hoping that euery man

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would have bin a fellow helper in such cases as these: but falling out otherwise And these negroes seeing a general neglect, hath taken courage thereby to conspier the ruin of the whole body of these Islands, had not the Lord out of his goodnes and mercie opened the mouth of some amongst themselves to the discouery thereof. And so Justice hath proceeded accordingly, and you all see and know that, not without provision made for prevention of a ffutuer danger w^ch^ was consulted on the 2nd of this Instant month by mee and my counsell, as you observe by what is vnderwritten

(1) It is ordered that from henceforth that none of the negroes of these Islands to whomsoeuer they do belong, or of what sort soeuer they are, shall haue liberty to straggle or wander from their masters houses or lands after halfe an hour after the setting of the sunne, without a passe or tickett vnder their handes to whom they do belonge, w^ch^ is to be granted only vpon some weighty occasion moveing therevnto But such negroes being found stragglinge w^th^out their leaues or their warrentall Tickett as aforesd, walking in the night as aforesd it shall be at the power of any English man that meets such a negro to kill him then & thiere without mercye And if any such negro shall refuse to be apprehended, and doth resist the Englishman, and he doth not make speedy pursuit against him, and shall not forthwith give information to the next magistrat Then he or they for thier neglect therein shall forfeit one hundred poundes of tobacco to be expended vpon generall service

(2) It is likewise ordered that the negroes that are free men and woemen shalbe banished from these Islands, never to returne eyther by purchase of any man, or otherwise, vpon payne of forfeiting their said purchase in that case

(3) It is likewise ordered That the negros yet remayneing amongste vs shall not be suffered to have any kind of trade or commerce w^th^in these Islands w^th^ any marchant or other man or woman for any comodity whatsoeuer If any man or woman shalbe knowne or found soe trading as aforesd, contrary to the true intent hereof They shall forfeite treble the value of the comodity they so traded for

(4) It was then ordered all those who are owners of negros amongst vs and shall not hereafter cause their negros to repaier to their parrish churches each Sabbath, or carry them along with them whithersoeuer they goe to here their *ministers*, but suffer them to straggle after their owne will Those owners of such negros shalbe responsible for any detriment that shall accrue thereby

(5) I doe hereby requier all manner of persons of what quality or degree soeuer they are, that they take especial notice hereof as they will answer the contrary at there severall perills

Giuen at Georges towne By the comand of the Gou^r^nor who hath ordered me to subscribe his name

JOSIAS FFORSTER
ANTHO JENOUR Secret.

November the 6th 1656

68. This 8th daye of December 1656 Anne the wife of William Moore of Tuckers towne made report to the Gou^r^ner of the little care that John Smith her sonne in Law hath taken for the education of his daughter Amye but suffers her to liue loosely and at vncertayne places tendinge to her vtter ouerthrow if yt be not preuented in due tyme: wherefore the said Mrs Moore grandmother to the sd Amye desiered to haue her bound vnto her for certeyne yeres: wherevppon the Gou^r^nor called the Sd Amye before him to see if she wold consent there vnto And the sd Amy did willingly consent to serve her sd grandmother and her assignes for the space of five yeres well and faythfully, and do bynd herselfe not to depart from her service w^th^out the consent of her sd grandmother by day or by night. And her said grand mother doth promise for her to fynd her meate, drinke and apparrell and things necessary for her duering the said terme

The mark of × Amy Smith Teste Antho Jenour Secret.

69. Vpon the 8th of December 1656 the maior part of the parrish of Georges Towne were assembled together to consult what was best to be done about the Gleab house wherein Mr Robert Browne minister thereto, hath made his dwelling duering his abode in thes Islands; vpon viewe, and finding yt to be out of repaier, they thought yt requisite to take vpon them the repairacon thereof at their own charges, so that the house and the rents of the land may be at their disposing in the tyme of vacancy of ministers, as it has bin formerly, and not to be taken out of their hands by· any . . . or practices of any manner of pson or persons whatsoeuer. And upon this account the parrishioners repayred to Captain Josias fforster the Gouernor to consult with his worship, who

taking the business into his serious consideration doth confirme the propositions, and cause the same to be put vpon record for the more suer confirmation thereof Att the same tyme M^{r} Browne abouesd did promise to leave the said gleb house in as good repaier as yt shalbe deliuered to him at his entrance, both within and without at all points

70. The Council of State, Whitehall, Dec. 23, 1656, write to the Commander-in-Chief of the English naval forces at Jamaica, Admiral Goodson, pointing out that about sixty Protestant English having been driven from their residence in the Somer Islands through the violent persecution of some ill-affected persons there, have gone to Eleutheria, where they have suffered much hardship; he is requested to send a vessel thither to invite them to Jamaica. The Commander-in-Chief of Jamaica, General William Penn, has been directed to clothe and provide victuals and other accommodation for them: if not free to go to Jamaica, to send them to England. (C.P. p. 453.) [These appear to be the same persons as were the subject of correspondence two or three years previously, and who had already left Eleutheria.]

71. At a Councell Table 2 January 165$\frac{6}{7}$.

Complaint was made against Thomas Lincay for his being a papist and therefore not fit to stay in this Iland.[1] And that he is a papist he denyeth not, nor hath denyed yt from his first arrival in the Hopefull Luck, when yt did appeare that he was vnder bondes for certayne yeeres, and from which bonds he haveing since freed himselfe with a considerable sum of money: and hath not been found to draw on others to his religion etc. It is thought requisit by the consent of this Table that he do still abide amongst vs, behaveing himselfe as a Christian man ought to doe, void of offence tuching papistry tenetts. Yet to make his appearance at the next assizes . . . It was also ordered that a note yssue forth from the Gou^{r}nor to charge all such persons whose negroes were condempned to pay M^{r} Gilbert Hill 20s per man wthout delay, or in default thereof their negros to be comanded to prison vntil payment be made accordingly

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[1] See the Royal prohibition, vol. i. p. 96 (Charter of James I., towards the end).

72. The Council of State, April 30, 1657, orders that the election of officers by the Company of Adventurers for the Somers Islands, appointed for May 6, be suspended and the matter depending before the Council concerning that Company be heard on May 13, when all parties concerned are directed to attend (C.P. p. 456). There is no entry for May 13. The subject was again taken up March 25, 1658.

73. At a Counsell Table 18 May 1657.

(1) Concerning M^r^ Reightons preaching It is ordered that M^r^ Reighton shall desert *sic* (desist from preaching ?) in Smyths Tribe church, vntil he doth produce the company's order to the Gouernor and Councell to that purpose . . . .

(2) Captain John Wentworth against William Phillips in the behalfe of his highness the Lord Protector, for obstructing his designes as concerning Jamaica, viz the planting thereof [1]

The attestation of Phillip Clemence who being sworne saith that his brother and himselfe being ffishinge espied a ship. They weighed and sett saile towardes the ship Comeing aboard I demanded what newes of Jamaica? Answer was made by M^r^ Phillips It was very sickly and many had died there Then this depon^t^ said he was sorry for that, because many had sett their names downe to goe there w^th^ Capt Wentworth at his returne from the Indias, after which he was silent

The attestation of Marye Boyfield who being sworne saith That at the Chappell she asked William Phillipes concerning Jamaica He answered that yt was not a place he could sitt downe in himselfe, neither would he wish any ffriend of his, or any tending to him. God was pleased to cutt off from the place most of the Godly people And his thoughts were that God did intend further destruction vpon yt, and none but the scumme of the Indias was there. And was without Government He being asked why? seeing there was a Generall, He answered yea, to the Sea! but not on land. And he said he was there in October.

[Two other witnesses corroborate.]

(3) Capt^n^ Josias fforster Gouernor censuer was, that he shall

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[1] Wentworth at this time commanded the 'Martin,' 'galley frigott,' which arrived in April and sailed again in July. He returned in October, in command of the 'Paul,' 'man-of-war,' and then carried away a large number of passengers to Jamaica (see vol. i. p. 718).

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be imprisoned 3 daies in Irons because he hath depraved the Gouernment of Jamaica

74. To the right worshipfull Gou^r^ner and Councell of the Somers Isl. convened at Georges y^e^ 18 May 1657 y^r^ humble servant Robert Browne Humbly sheweth.

That whereas he was in Sept 1655 by the Hon^ble^ Company of the Somer Islands at London sent thither as their Ltres to you will testifie to preach the Gospell here in these Islands, and vpon likeing and triall whether the people were edified in the faith by his ministery. And seeing he hath now continued such a competent tyme as in reason may be thought sufficient, both to giue triall of his guifts in preaching and of his conversation. Therefore he humbly requests y^r^ worshipes in the first place to giue your Judgments whether you think his guifts of preaching and conversation to be fitt and able, through the blessing of God, to edifie his people in the faith of our Lord Jesus Christ That soe he may order himselfe, and take course for continuance or removall as y^r^ worship shall thinke fitt Soe expecting an evident and cleare answer according to your mindes, he will labor to continue y^r^ worships humble and obedient servant Robt Browne

There follows a favourable certificate signed by all the Counsell.

75. At a Councell Table 15 July 1657.

Henry Paskow, Marshall, is charged with having sold his wife, the lady of whom previous mention has been made,[1] for one hundred pounds, in a drunken fit, and afterwards making a riot and beating the purchaser, he was bound with two sureties to his good behaviour, and to appear at the next assizes, when he was dismissed from his office

76. July 17, 1657.

Rec^d^ of Mr John Dorrill two hundred thirty and eight pounds sterling for and in consideration of seventeene servants already delivered. I say rec^d^ this 8 July 1657

By me Edm. Scarbrough.

These servants were probably Irish rebels. Many of that nationality are mentioned about this time (see p. 103).

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[1] *Ante*, p. 73.

If they had been Indian or negro slaves the circumstance would have almost certainly been stated.

77. At a generall Court for the Somer Islands Company held at the accustomed place in Watling Street London. Wednesday 26 August 1657

Whereas at a court holden for this company the 2nd at another the 24th Sept. and 14 Oct 1656 severall warrants were granted for transport of cedar out of the Somer Islands in the Company's magazine ship the Loyalty, viz one to the agents of the Rt Hon the Earl of Warwicke for twelue Tunns of cedar. Another to the agents of John Heydon Esq^{re} our Deputy, for ten tuns cedar. Another to the Agents of M^{r} Perient Trott, fforasmuch as this Company haue not only receiued information that the ship Loyalty was not arrived at Bermuda on the 3rd June last, but also was at Neew England intending for Barbadoes It is therefore thought fitt and ordered that all the said cedar shall now be transported in the company's magazine ship the Somer Islands merchant, whereof John Jenkins is master And the several Agents and all other persons whom the premises may concerne are to take notice hereof upon the sight of this order.

Thos. Martin Secr.

This aboue mentioned order came by John Jenkins master of the Som. Islands Marchant *alias* Swan [11 Oct. 1657].

78. October 30, 1657.

To all Christian People. Wee whose hands are herevnto subscribed and Attorneyes for the sufferers by reason of a riseing in Armes, have in the behalfe of the sufferers and do by these presents, acquitt release and discharge Humphrey Harvey senior of and from all and any Act of his agst these sufferers in that Arming from the beginning of the world to this present day October the last 1657. Witnes o^{r} hand

In the presence of
John Stow

Phillip Lea
Fflo. Seymer

79. Assizes, November 1657.

[There are no criminal charges entered.]

Presentments by the grand Inquest

(1) Against merchants and agents delaying thier receipt of

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dues paid in Tobacco whereby the debtor by reason of such delays is much dampnified by drynes and other inconveniences Ordered that if the Tobacco be not demanded and taken away within 10 days after division, the Tenant may dispose of it

(2) Renewed presentment of the Sawyers for refusing to saw at 2*s* 6*d* per hundred. Ordered that 2*s* 6*d* be the price for small work and 3s for deep work, which is defined to be all over 18-inches through.

(3) The Grand Inquest moved the court that some order and Law might be made that noe maner of coyne or moneys may be hereafter exported hence And that all strangers that come to trad may here after trad for comodities of our countrey's growth. Ordered That noe man shall be suffered hereafter to carry off from these Ilands aboue five pounds sterling, and whatsoeuer is ffound in any mans custody more than that sume shall be confiscated

(4) The horrible sin of swearing and curseing is presented.

(5) Wee doe present the evills that may ensue to posterity, for the scarcity of tymber by the continuall exporting yt out of these Islands in such great quantities, and do desier that yt may be prevented by some tymely law Noe order could be taken into our consideration seeing the companies orders cannot be disannulled

(6) The Grand Inquest apparently commends Leift Anthony White the new Marshall for his temperance and care in not suffering inordinate drinking, but rather doing all in his power to prevent it as much as in him lyeth. And they desier that he may for the tyme to come have license only in the Towne of Georges to retayle drinkes And that all strangers may be prohibited from the sale of drinke by retaile on shore by any culler or pretence whatsoeuer.

It is taken into consideration and ordered accordingly, with this exception That for 2 or 3 or 4 dayes in euery assizes tyme others shall be tollerated to sell drinke without contradiction

(7) It was presented that whereas the Lord Protector of England having made and publisht Lawes prohibiteing all such as call themselves ministers to entermeddle with solemnizeing marriages; but yt is only to be the worke of the magistrate: they desier that these Laws may stand in force here.

Which being taken to consideration was ordered accordingly.[1]

(8) It was ordered that Richard Browne be prohibited the

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[1] There are several examples before this of marriages by the civil magistrate. See vol. i. p. 664.

reading of common prayers when any the ministers preach at Pembroke Tribe, this at the request of the Grand Inquest.

(9) The Grand Inquest presented the abuses frequently vsed in shooting off guns in the night tyme and at euery apprentices expiration: yt was ordered that the old Acte be put in execution w^{ch} is a monthes imprisonment for euery such default

(10) It was also ordered that those that hath the Irish servants should take care that they straggle not night nor daie, as is too comon wth them If any master or dames be remiss hereafter in watching over them, they shalbe fyned according to the discretion of the Gouernor and counsell It was ordered that it shall not be lawfull for any inhabitant in these Islands to buy or purchase any more of the Irish nation vpon any pretence whatsoeuer And those who are already bought in amongst vs may be brought to the meeting places on Sabbath daies by their master and dames, and made to stay eyther abroad or in the church during the tyme of exercise

(11) Presented by the Grand Inquest, that liberty of conscience be not abused by Rude persons who being voyd of a good conscience and ignorant of the end for which yt was ordayned; but are bold to profane the sabothes and take liberty to do many wicked and abhominable actions not to be permitted, and do trespass on their neighbours and the like.

It was ordered that all such as take such liberty to themselves upon that accoumpt, be carefully observed by all officers and others, and be compelled to repayer to the Churches each Saboth, or in default thereof to be severly punished.

(12) Many negros presented for fornication and adultery were ordered to have 39 lashes vpon the naked backe, at the publicke meeting places where the Minister preacheth.

80. At a Councell Table 3rd December 1657.

(1) . . . Capt^{n} John Limbrey and M^{r} John Jenkins haveing both commissions from the Company to take the Tobaccos of the Islands, of which M^{r} Jenkins was the last dated, and came to anker before the other (see p. 88) and both demanding their severall priviledges by virtue of their said commissions It was ordered that the Inhabitants of these Islands consistinge of tennants and ffactors, shold be left to act according to their severall orders and instructions from their landlords and merchants And all others be left to their owne wills, to ship eyther vpon Capt Limbrey comander of the Loyalty, or vpon Jenkins comander of the Somer Islands merchant. And not to ship

their Tobacco vpon any other ship or ships whatsoeuer. This passed by a general vote of the Table excepting Capt Saile . . .

(2) Many motions haveing been formerly made on the behalfe of Stephen Stephenson who is now blind and past labour yt is ordered by the consent of the whole Councell present That the sayd Stephenson shall have allowed him for his maynteinance from the Generall Levy 120lbs of tobacco yearly during his life . . .

(3) It was taken into consideration how to help M^r Henery Smyth vnto his land from whence he departed at his Banishment And vpon debate about yt, yt was consented vnto by M^r John Squier then tennant vpon yt That he wold peaceably yield vp the said share of land after his next yeares croppe was off, without further warninge, but to the Landlords vse, and no mans else

81. December 4, 1657.

A petition is addressed to the Lord Protector by certain inhabitants of the Somers Islands, signed by Horatio Mallory, John Rivers, and sixteen others, who choose Captains John Limbrey and Phillip Lea as their agents, to seek relief for their grievances, and act in their behalf. Their complaints are—That the Company have made a breach in their charter in not furnishing them with proper supplies. That they are naked for want of clothing, naked to their enemies for want of ammunition, and destitute for want of godly teachers. They pray to be governed according to the laws of England, to dispose of their labours to the best advantage, and not be forced to keep their goods until the Company send for them, which it has neglected to do for two years.

(2) To this is annexed a paper of grievances. The ministers have not received any salary for some years past. The Islands are exposed to invasion for want of ammunition. The ports are shut by the Company against any trade to their advantage. The inhabitants desire to know how the duties on tobacco for the last twelve years have been appropriated; whether the supplies sent them by the Company can be considered sufficient for their wants; and that their grievances may be heard before His Highness and Privy Council.

(3) There is also annexed a nominal list of the

persons able to bear arms in Southampton Tribe under Captain Horatio Mallory, 56 in number, with various annotations, such as—not armed; musquet no bandolier; no sword; no drum; no collars (for bandoliers); 10 lbs. of powder and no more; 5 fathom of match (for the musquets) and no more; 5 bullets and no more. Only seven men are returned armed. This is followed by an account of the artillery and ammunition in the Commonwealth's Castle, Southampton Fort, Smith's Fort, and Paget's Fort, taken December 9, 1657, which is as follows (C.P. p. 463):—

At the Commonwealths castle	
1 Demye cannon,[1] Brasse	Shot for the Great Artillery 100
3 whole Culverine[2] Iron	37 Musquets 5 Pistols
3 Saker[4] Iron	25 Swords. 10 skeynes
1 Minion[5] Iron	Match. 1½ Bll powder
	1 Collars of Bandoliers
	200 lbs small shot
At Southampton Fort	
4 sakers,[4] 2 of these not serviceable	
1 Ffalcon[6]	40 Round shot
2 Harquebuses	1 Collar of Bandoliers
2 Musquetts	2 Swords
At Smyths Fort	
1 Base[7] cannon of brass	50 round shot
4 Sakers[4] Iron	Barr, Base, Pistol shot
1 Demi culverine[3] Iron	50 lbs
At Padget's Fort	
4 Sakers[4] Iron	30 Pike shot
1 Demi culverine[3] Iron	6 musquetts

82. At a Counsell Table — December 1657.

Depositions are taken at great length against one Edmund Morgan for stabbing Anthony Herbert in the arm. Seeing the wound was like to tend to mortification, it was concluded by a council of chirurgeons to dismember him, which was the last refuge, and this was done with consent of the party; but he died.

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[1] About a 32-pounder. [2] About an 18-pounder. [3] 9 to 12-pounder.
[4] 6-pounder. [5] 3-pounder. [6] 2 to 3-pounder. [7] About 3-oz. shot.

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A special Assize being held 13 January, 165$\frac{7}{8}$, for the trial of Morgan, he was found guilty of murder, and was hanged on the 15th January.

83. March 23, 1658. The Petition (par. 84), with the papers annexed, are referred by the Council of State to Lords Disbrowe, Richard Cromwell, Fienes, Mulgrave, Fleetwood, Wolseley, and Jones, to report what may be for the good government, preservation, and advantage of the Somers Islands; and two days later some of the Company of those Islands are directed to attend at the Council Chamber at 8 A.M. on the following Monday, when the business will be taken into consideration. (C.P. p. 463.) [There is no further record.]

84. At a Councell Table 27 April 1658.

It was consulted what part of the goodes recovered by our Inhabitants out of the ship Anne cast away vpon the rockes, they shold haue for their great labour and paynes therein After long debate therein had at length yt was put to the vote of the Gouernor and counsell, and was voted as followeth The Secretary (Anthony Jenour) thinkes reasonable that the recouerers of the goodes out of the sayd shipp are worthy to have halfe of the goodes w^{ch} they have seuerally recouered, provided that such ganges who have spedd best, doth take a proportionable number of the seamen to bedd and board at a free charge, and that the recouerers do carry in their boats all such goods which they haue or shall recouer, and doth fall due to the merchants and masters part, vnto such place or places as m^{r} Stroud the marchant shall appoynt them, wthout demandinge any payment for their worke therein And also to help house yt at their deliuery

M^{r} Francis Watlington, Capt Fflorentia Seymer and the Gouernor agreed with the secretary, M^{r} Richard Norwoode, M^{r} Waynewright, Leift Jo: Rawlinges, were of opinion that the recouerers shall haue for their paynes out of the canvas, sailecloth and brandy one third part, and out of the Iron and wyne the one halfe part. and to be subiect to the secretaryes vote in euery particular otherwise, notwithstandinge

It was also ordered that the recouerers shall have halfe of the Rigging and guns and other appertenances belonging to the said shipp Anne aforesd

85. At a Gen^r^all Quarter court Deriuatiue Watling Street 20 May 1658.

The humble Petition of M^r^ William Baseden of the Som^r^ Islands Gent. was read, setting forth That a negro man belonging to the Company (now in the service of M^r^ Henry Tucker) hath lately marryed a negro woman belonging to him the said M^r^ Baseden. That forasmuch as those duties of Marriage cannot be performed to each other, which by the Lawes of God and man are comanded, by reason of the distance of their abode and the Lawes now in force in the said Islands, forbidding any negro man or woman whatsoeuer to be out of their masters plantation halfe an hour after sunsett vpon payne of Death vnless they shall have a ticket from their said masters for so doing He therefore prayeth that he may purchase the said negroman of the Company at such a rate as shall bee adjudged reasonable. The Court taking the same into their serious consideration and debate, and finding it may prove preiudiciall to their affayres to make sale of thier negroes Do in the p^r^sence of M^r^ George Tucker nephew to M^r^ Henry Tucker, and of the said M^r^ Basden, thinke fitt and Order That if the sayd M^r^ Basden shall in the space of 1 or 2 yeares next ensueing procure a seruiceable negroman for the sayd M^r^ Henry Tucker, to supply the place of the companyes negro That then the Company vpon true informaton & knowledge thereof, will by further order assigne and turne ouer their said negro to him the said M^r^ Basden.

86. Court House the 28th of Maie 1658 Letter sent by the 'William' Mr Thomas Saile master

(1) As to the petition of some few of the Islanders ag^t^ the Gou^r^nor and company here It hath bin fully answered before his highnes the Lord Protectors courts, And wee have encouragement from them to governe according to our Letters Patents And wee are assuered wee may Justifie ourselues in our endeavours for the good of the Colony w^th^ you from tyme to tyme: saveing those disturbances that have of late years bin put vpon vs by y^r^ selues And some ill affected members w^th^ vs, Therefore our advise is, that you would live in peace and observe the Lawes and orders of the Company. Soe wee wish you hartily farewell, and rest y^r^ freindes

John Heydon Deputy

Jeame Stirrop and Ralph Wright are settled in Longbird Iland by order from the Company Therefore requier they be not molested.

87. Orders for a trading voyage, June 2, 1658.

(1) Whereas the good shipp called the William ffrigett now lyeth reddy att Anker in the river of Thames, wee who have hereunto subscribed, the owners of the said Ship doe authorize Thomas Sayle to bee Comander of the said ship, and wee doe hereby order him to proceede onn our now intended Voyadge or Voyadges for the Somer Islands the Bahama Islands and the Cariba Islands in manner & forme hereafter mentioned.

Imprs. that the said Thomas Sayle shall forthwith sayle from the place where the said ship William now lyeth at anker, and goe for the Downes, wind & weather permitting.

(2) That being arrived in the Downes, you are to take the first oportunity of wind & weather and good Company, if to be had, to accompany you out of the Channell, then to steere your course as opr.tunity shall give you leave, directly for the Sumer Islands, God sending you safe there to arrive, you are to deliver all such passengers and Merchandiz that are aboard the shipe to be landed there, haveing soe done you are to dispatch with what speed possible you may, and having there made your dispatch you are to sayle as wind & weather will permitt, directly for the Bahama Islands.

(3) That if possible you can att the Sumer Islands hyer soe many men as you in your discretion shall thinke good, att such reasonable tearmes as you and they shall agree, to goe with you from thence to the Bahama Islands, and there to imploy them in cutting Brazilett wood, or what other businesse you shall finde there necessary to imploy them about.

(4) That when it shall please God to send you to arive in safety att the Bahama Islands your best endeavours must be used with your Company to make a Voyadge by makeing of Seale Oyle, cutting of Brazilett wood, and what other meanes you shall there finde needfull, in procuring of Ambergrease, and in getting anything from Wrecks which shall be there found, or any thing else that may happen, whereon somthing of a voyadge may probably bee mad, wee desire you would improve it and all advantages for the good of our voyadge, in all which wee must leave and rely on your indeavours, governing your selfe according to the experience you formerlie had.

(5) That having spent soe much time at the Bahama Islands as you in your discretion shall thinke fitt, haveing laden on board what shall pleas God to give into your hands by your industrie, its our order that you sayle directly for the Barbadoes, God permitting, or any of the Leward Islands, there to dispose of what oyles you have for such Comodities as the Country doth afford, and what other comodities that shall bee more proper for England,

you are to ship them aboard some good ship bound for London, consigning them unto M^r Perient Trott and Pet: & Isa: Legay for the accompt of owners Ship William.

(6) That what wages or other necessary Charges in victualling &^{c}, you defray itt by the com̄odity you shall sell at the Caribas, and what may bee remaining over and above you are to ship it for London, consigning it as aforesaid unto Per^t Trott & Pet: & Is: Legay for the accompt of the said owners, and what goods shall bee soe consigned, or any other goods or M^{r}chandizes in any other hands that doth apertayne unto the said accompt, the neat proceeds thereof shall bee divided into fowre parts (vidyt) one fowerth part for the proper use of M^r William Sayle, one fourth for the proper use of M^r Perient Trott, one fourth for the proper use of Pet: & Is: Legay, and one fourth parte for the proper use of M^r Thos: Sayle.

(7) That when you have donn the needfull at Barbadoes or elsewhere, that you shall dispose of your Oyles & shipped what else there may bee to ship for England, then our desire is that you retorne againe for the Bahama Islands, and soe backe for the Caribas againe, that by trying againe the 2nd voyadge, wee may in the end obtaine the hopes wee have onn this designe, soe that if the first voyadge prove not according to expectation, wee hope the second may, and if the first nor second, wee hope the third or fowrth may make amends for all.

(8) That if you have any incoradgment to goe and trade upon the Coast of fflorida, or finde any opertunity of a good fraight from Barbadoes to Surinam, wee leave itt to your discretion to doe therein as it seemeth best to you.

(9) That if it should please God soe to preserve you and our ship soe long thus voyadging amongst those Islands, that you shall be weary of the imploy, and that you are willing to come for England, our order is that you sell our shipp for our most advantadge, or if you finde any further incouradgment to continue the vessell still onn the same imploy, but willing to leave the same yourselfe, our order is that you place a Master to Com̄and the vessell and Company, that may bee well knowne to yourselfe, and that by experience you have found him both honest and capiable.

(10) That when it shall please God to send you for Barbadoes, for your better dispatch there wee desire you would take to your assistance M^r Jacob Butler, to whome you may deliver what goods & Merchandize you have for our partable accompt, whose care wee doubt not but will bee sufficient for the disposeing of our interest to the most advantage, who shall have order to supply you with what you want to his utmost ability.

(11) That if it should please God by Providence soe to dis-

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pose of our ship that shee bee lost by any accident, before any good bee donn onn the designe wee have p^{r}sent hopes of, that in such case if you finde oppertunity to furnish yourselfe with another vessell to goe onn the same designe, wee desire you to hold our interest with you in the said vessell, proportionable to each mans parte that are now interested with you on the William.

(12) That if att any time any thing offereth, not contained in these directions, which you conceive may bee for more advantage then anything herein contained, wee fullie leave ourselves to what you in your more knowing & experienced iudgment shall think best to bee donn, being confident of your integrity & faithfulnesse that you will in all things seeke the generall good of us and yourselfe. Soe desireing you would husband your time the best you may, leaveing the successe to the ever ruling Providence, thus wishing you a prosperous voyadge, wee have for your sufficient authority confirmed this our Order by our hands & Seales this Second of June London An^{o}: 1658.

Sealed & delivered in the presence of us

Ste: Wilkinson	William Sayle
ffran: Sampson	Perient Trott
John Somersall.	Pe: & Is: Legay

88. Assizes June 15–17, 1658.

(1) It was presented as a grievance the great voyelancey that was practised by several ganges that went on board a ship called the 'Anne' w^{ch} lately fell on the rockes, w^{ch} ship being left on ground by the seamen who went off in the ship boat, and being found empty of men the ganges aforesd made Sey Luer of the goods[1] and tooke away their clothes, and despoyled them of their Instruments, and restored not any thing or but little backe, nevertheles their great wants. The grand Inquest desiered that order by the bench might be taken for restitution and left yt to be ordered by the Gouernor and counsell.

(2) It was then presented by the Grand Jury that when there hath bin a scarceity of corne in these Islands men wold advance yt to vnconsionable high prices, and in plenty too yt sold at so low rates that men are not paid for their labors by planting yt, Soe that they desiered that there may be a constant price set vpon corne by the bushell for tyme to come, that there may be encouragement for men to plant

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[1] Or Sey Laer; words plainly written. Probably a technical phrase from the Dutch for Sea Law, or something equivalent.

(3) It was by the generall vote of the Bench and country present settled that corne shall hereafter be sould at no other price than at eighteene pence per bushell as well in time of scarceity as in plenty

(4) It was then also presented to consideration of the Gouernor and counsell that some course might be taken for restreyneing men from putting off pieces of eight to seamen, who ought by o^r^ orders here to lay yt out amongst vs, and to continue still in comfortable comerse one w^th^ another as yt was fformerly

Yt was herevpon ordered that all peeces of eight w^ch^ formerly passed current for 4*s* per peece shold henceforward pass current betweene party and party at 5*s* per peece, provided they are silver and that this be imediately published throughout the tribes

(5) Presented at the assizes aforesd that through the wast of tymber both young and old trees there is likely to ensue great evills thereby to posterity Wherefore yt was ordered that all owners and tennants should hereafter plant in young cedars or preserve so many yerely for the good of posterity

(6) The ffiats Bridg being well kept by Larrence West yt was presented to be consulted by the Bench how yt might be kept in better repayer. It was then ordered that Larrance West should have 20lb of tobacco more than formerly (His salary being formerly 60 lb tob per annum, yt is now made vp to 80 lbs) he to find nailes boards & tymber . . . .

(7) The Sheriffe (Capt Stephen Paynter) is presented for not performing his duties according to the Booke of Orders. Pleads infirmity of body Promises to officiate hereafter according to his ability. He was soon after allowed to resign.

(8) The great neglect of most people in clearing the Paths leading to the Rendivous is presented Former orders renewed and to be read publickly in each parrish quarterly.

(9) The horrible and crieing sins of swearing cursing and drunkenes presented A proclamation to yssue forth about these things, especially the new Lawes made and provided by the present government of England . . . .

(10) John Perkins and Grace Hamond for bastardy sentanced to be imprisoned 3 months and bound to their behaviour for one whole year

89. At a Counsell Table 6th July 1658.

It was then considered that those seamen [of the 'Anne'] who were lodged at severall houses in Georges towne, should have 4s per weeke for the sicke folkes, and 3s a week for those who are healthfull

90. June 24 to July 18, 1658.

Six attestations are recorded regarding Spanish treasure to a large amount recovered from a wreck upon Abaco, one of the Bahama keys, the division of which was the subject of a dispute: the subjoined statement of one of the parties gives a connected narrative of this adventure, which does not appear to have any connection with the expedition of Capt. Richard Lockyer in 1656 (p. 77):—

This vnderwritten was left by Richard Richardson vnder his owne hand the 18th July 1658.

We arrived at the Isle Elethea (Eleutheria) the last of July 1657: and the 2nd August we arrived where the Inhabitants did live, at Capt Sailes house, and one Curtise by name w^ch^ was in the house made vs welcome, and gave vs such fare as he had, and did enterteyne as much of the folkes as he could about 16 or 17 dayes. And then there was a ffalling out between John Williams, Aser Eley, and I, by name Richard Richardson, and I left the house, and went to liue in the Cave where they did formerly goe to Service. And the Company that was at the Gouernors house after 3 or 4 dayes heard there was some wracke ffound about Jeames man's Iland, and then I and my company made ready my Shallop for to goe downe . . . . And the company went to make ready the Gouernors Shallop. And John Williams and Asa Ely came at the caue bay to some of our folkes and besought to stay for them, And we staied for them: to my best knowledge, we stayed for them about 3 or 4 days, till they were ready . . . . they were ready on Saturday at night on August the 28th or 29th, and they came to vs where the shallop rid, and there we made agreement to go share and share alike. And so we went downe, and got about 2600 lb sterl that voyage, And so in comeing up in the Great shallop they did put the money in 100 lb bages, And I think they brought yt all ashore in baggs. But I cannot tell, ffor the next day the Gouernors shallop that the money was in, they did arrive at the Gouernors bay affore night, and wee did not arrive till next night about 9 of the clock There when we came Curtise brought food to vs, and then wee went and shared the money, so yt was brought in 100 lb baggs, and so wee took each one his bagge and so they left one bagge w^th^ a great deale of wranglinge, for I had made my agreement w^th^ my company for a share and a halfe But they would not let me have any more. And then Williams took the other 100 lb bagge for Capt Sailes shallop: soe after Jo. Wells and I had taken the money, there was more money shared amongst the Company, 30 lb a share or thereabouts to my best knowledge. But neither my shallop nor Capt Sailes shallop had any of that. And furthermore I doe declare vpon my oath, and as I have a soule to be saved, that I never gave order to medle with Captain Sayles shallop, nor did I medle nothing in any manner of way in yt, for I had one of myne owne . . . . And for the agreement Curtise made yt with James' man as he said for halfe a share; and soe we went downe, and got that voyage about 80 lb a share, besides a share of siluer that weighed about 1400 peices of eight. And so when we came vp we came at Spanish well and there we shared the money. And so I took what did belong to me, and so did the rest, And soe there was left a share, whereof Curtise was to have halfe of it, and Jeames' man Edward Walker, Joseph Dorwood, Walter Parker, they tooke the share and divided yt amongst themselves. And soe I spoke to Curtise and told him, to my best knowledge, Looke Curtise their shallop that is above named share the money, that you may not come to trouble me hereafter, ffor I do not medle with yt And to my remembrance he said that he would but pay himselfe for his paynes But vpon my speaking they did render some money to Curtise. They said £10 each, but for how much money they let him have, that again I do not know. But I saw mony deliuered vnto him

per me RICHARD RICHARDSON

This aboue written was deliuered vpon oath written by the abouesd the 18 July 1658 *teste* Antho: Jenour Secret^y

91. There follows the indictment of Thomas Moore and his wife for witchcraft. (See Appendix.)

92. A Proclamation, dated June 1658, embodying the recommendations of the Grand Inquest respecting a fixed price of 18*d.* a bushel for corn; the value of pieces of eight; the planting of cedar, &c.[1]

93. Letter announcing the death of the Lord Protector, dated Sept 4, 1658, addressed to the Governor elect, Captain William Sayle, who, however, had not then

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[1] June 8, 1658. The Committee of Council, viewing the prejudice likely to accrue to the English plantations abroad, and to the revenues of the Commonwealth, by the cultivation of tobacco in Great Britain, revert to an Act of Parliament of April 1652, and order all tobacco growing to be grubbed up and destroyed. (Interregn. Entry Book 106, p. 880.)

left England, and did not assume the Government until the January following:—

After our very heartie commendacōns, Whereas it pleased the All Wise God in his Providence yesterday about foure of the clock in the afternoon, to take out of this world the Most Serene and renowed Oliver the Lord Protector of this Cōmonwealth, to the unspeakeable Griefe of our hearts and the (Mighty) losse of these Nations, but in this sore affliction it doth much relieve our sorrow that this his said late Highness in his lifetime according to our humble submission, and advice, did appoint and declare the Most Noble and Illustrious Lord the Lord Richard, eldest Son of His said late Highness, to succeed him in the ordering of these Nations, a person who hath given such eminent testimony of his faithfulness, and great affection to the Cause of God and the Publique interest of these Nations as giveth us abundant cause of rejoicing that the Lord hath provided such a Successor to undertake the govern^{t}, in whose prudence and moderation wee may Acquiesce and under whom we have not onlie hope but much confidence, that the Lord will make these Nations happy

Wee therefore of the Privy Councell, together with the Lord Mayor, Aldermen and Citizens of London, the Officers of the Army, with numbers of gentlemen, have with our full voice and consent of tongue and heart, published and proclaymed the said Noble and Illustrious Lord Richard to be rightfullie Protector of this Commonwealth of England Scotland and Ireland and the Dominions and Territories thereto belonging to whom wee acknowledge all fidelitie and constant obedience according to Law and the humble petition and advice with all heartie and humble affections, and therefore have thought fitt to signifie the same unto you, willing and requiring you immediately on receipt hereof, to assemble the Councell and Magistrates of your Islands and to cause His said Highness to be proclaimed in the usual places within your Islands according to the form herein enclosed mutatis mutandis, with such solemnity as becomes a business of such a nature, and to take all due care for the preservation of the Peace, and securing the same against all insurrections and disturbances that may be made by evil minded upon this change

Whitehall 4th of September 1658

Signed in the Name and by Order of the Councell

Ffor William Sayle Esq. WILL JONES Presid^{t}
Govern^{r} of the Islands of Bermudas These

[The Proclamation will be found at p. 125.]

94. Assizes, September 14, 1658.

(1) The Jury for his highnes The Lord Protector of England do present Tomakin, Clemento, black Dick, servants to M^{rs} Anne Trimingham, Jeames Benninge Skotsman, John Chehen (qu. Shehan?) and David Laragen, Irishmen: black ffranke a negro servant to M^{r} John Devitt, and Edmund Malony, all of them inhabitants of the Somer Islands, servants, ffor that they not having the ffear of God before their eyes did vpon the 21st of August last past feloneously enter into the corne House of William Lindeth [whence they stole two sails, and afterwards ran away with a boat, both to the value of £18]. They were found not Guilty; yet the Governor and Counsell knowing them to be night walkers, and out of their masters and mistresses House that night, they were censured by the unanimous consent of the whole bench to receive 31 lashes vpon their naked backes, w^{ch} was done the 15th accordingly.

95. At a consell Table 14 Sept 1658.

It was ordered that according to an order formerly made at a Counsell table, that those who spedd best at the wrecke called the Anne should keep a proportionable number of the seamen at bedd and board, and those said seamen finding passage are gone And the people of Georges towne being yet vnpaid for their dietts whilst they abode here, w^{ch} arising to £12 or £13 sterling, w^{ch} money is now ordered to be paid by the severall gangs, according to the former order aboue mentioned, within 14 dayes after the date hereof If yt be not payd accordingly then yt shall be lawfull to distreyne vpon the goods of any such persons whom the Gouernor shall appoynt

96. December 10, 1658.

A special jury was empanelled, but without the formalities of regular assize, for the trial of John, a negro man servant to Mr. Devett, for murder. This is an example of a species of martial law applied to the slave population after the conspiracy of 1656.

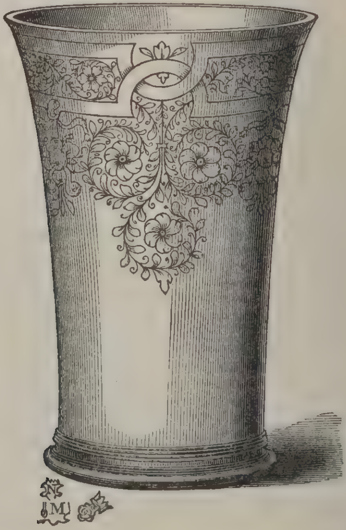
Leiften^{t} Charles Whitenhall Foreman
Leiftent William Nelmes
Serjeant Stransham
Serjeant Inglesby
M^{r} Nath. Priddenson and 7 others

CHAP. XI. 1650–1658.

These Jurymen abouewritten were empanelled at Leiften^{t} Rawlinges house and there passed vpon the prisoner and found him guilty of murthering the body of John Harper, and deliuered vp their verdict in the presence of Capt^{n} Josias fforster Gouernor, and M^{r} Richard Norwood M^{r} John Waynewright M^{r} Thomas Richard M^{r} John Rawling and Autho Jenour Secret. in these words ffoll. Wee find the prisoner Guilty.

[Sentence was passed accordingly, but is not recorded.]

97. There are entries of December 15 and 20, 1658, but the foregoing is the last in which Captain Josias Fforster is referred to as the Governor. At the next entry following, dated January 5, $165\frac{8}{9}$, we find his successor, Capt. William Sayle, whose appointment dates from June, installed in office.



SILVER BEAKER BEQUEATHED TO DEVONSHIRE PARISH BY CAPTAIN ROGER WOOD, 1654, TO BE USED FOR SACRAMENTAL PURPOSES ONLY (SEE VOL. I. P. 543), ONE-THIRD OF FULL SIZE.

CHAPTER XII.

LAST GOVERNMENT OF CAPTAIN WILLIAM SAYLE, APPOINTED JUNE 30, 1658: RELIEVED, JANUARY 12, 1662.

CHAP. XII. 1658–1662.

Captain William Sayle, or Saile, now for the third time at the head of affairs, appears first in these Records as a councillor in 1630, and was sheriff in 1638. Early in 1641 we find him Governor, but, in Norwood's opinion,[1] altogether governed by the Independent clergy; he got credit, however, afterwards with the loyal party for a moderate and temperate carriage towards them.[2] He took an active part in 1647 against Governor Turnor and the Royalists,[3] and was even suspected of a design to subdue the colony to the Commonwealth by force of arms. The ill-starred expedition to Eleutheria perhaps made him enemies; for, notwithstanding these evidences of his leaning to the Puritan and Commonwealth side, he was accused of being a Royalist, and his relations of friendship with some of that party were made the pretext of serious charges against him, from which, however, he was able to clear himself. He resided some time in Eleutheria, but left that place in 1657, and returned to Bermuda. He was selected by the Lords Proprietors of the Carolinas, after the Restoration, to command their expedition for the settlement of that plantation,[4] and he probably died there. His will, dated Sept. 30, 1670, is recorded in Bermuda.

1. Sept. 7, 1658. A Petition is presented to the Privy Council by several inhabitants and others, proprietors in the island of Bermudas. They state that they

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[1] Vol. i. 570. [2] Ib. 608. [3] Ib. 701. [4] Ib. 737.

addressed his late Highness, complaining of the Company for choosing Capt. William Sayle their Deputy-Governor, and others as officers [in June last], who had been in arms against the Commonwealth and disaffected to it. This was referred to the Committee for America for their report. The vessel to carry Captain Sayle being ready to set sail, they pray for an order to the Committee to report thereon. Signed Phillip Lea, on behalf of himself and petitioners. (Col. Entry Bk. 13. No. 50.)

2. Sept. 14, 1658. The Committee for America report that the articles exhibited against Capt. Sayle are for the most part proved.

In particular it doth appeare vnto vs that at the time of the Rebellion in the Island, when the good people were imprisoned, the said Capt Sayle vnder p^{r}tence of mediateing with the enemy for their advantage, did exasperate them the more, for the better compassing his designe of carrying the good people to Eleutheria.

And also that at the time of y^e said Rebellion, the said Capt. Sayle was very conversant and intimate with the Chiefe actors therein, and although he had walked in ffellowship vnder Mr White the Pastor of that congregation, did in that time desert them, and closed with Mr Viner and Mr Hooper, scandalous ministers, and the head of that faction, and that at his departure from the said Island, he left his estate in the hands of the present Governor Trymingham, and principall head of that Rebellion.[1]

He had said that the execution of the late King was a treacherous and murderous act. They find also that Mr. Somersall made sheriff, Henry Tucker made Secretary and Councillor of State, and Hugh Wentworth Capt. of Paget and Warwick tribes, were disaffected to the Government and highly active in the rebellion there.[2] They conceive the island to be of great importance to the Commonwealth, and are of opinion that Capt. Sayle is altogether unfit to be entrusted with the government;

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[1] The Committee cannot have supposed that Trimingham was still Governor in 1658, therefore must have meant 'the then governor Trimingham.'

[2] See letter of September 13.

and Somersall, Tucker, and Wentworth unfit to be in any command or public trust. They recommend that the commission of the Company to Capt. Sayle, who is about to depart, be forthwith recalled. Signed by John Mill, Tobias Bridge, Martin Noell, and R. Sydenham. Treasury Chambers, Sept. 14, 1658.

(2) To this is annexed a paper of charges against each of these persons, with the names of the witnesses ready to prove them, received Sept. 15, and also the names of those ousted by the Company, who have been ever eminent in the island and are sufferers for their fidelity to the Commonwealth, viz. Captains Stephen Paynter, Horatio Mallory, Fflorentia Seamer, Godheard Asser, Mr. Anthony Joijner (Jenour), Capt. Phillip Lea.

(3) Sept. 23, 1658. The Lords of Council Disbrowe and Jones report. They have examined into the charges against Capt. Sayle, who was sent for from the Downs, whither he had gone on his voyage to the Somers Islands, and see no cause to stop him, but recommend that he be dismissed from further attendance, with a strict admonition to demean himself with circumspection and faithfulness to his Highness' interest and service. (Colonial Entry Book, vol. 13, p. 165.)

3. The Company to the Governor and Councell
Sept 13 1658.

Gent.

(1) At a generall Quarter Court held the 30 June last past wee did elect and make choice of severall persons to be officers for the Somer Islands an account of which wee thinke fitt in the first place to giue you; and afterwards to proceed to other particulars

ffor Deputie Gouernor wee haue elected and chosen Capt William Sayle and by our commission vnder our comon seale haue constituted him Gouernor and Cap^{t} Genall of the Somer Islands, vnto whom in all lawfull things which hee shall comand by vertue of his office, wee require all persons in the Islands to be obedient

(2) The Councellors and Justices of the seuerall Tribes by vs elected to be assistant to our present Gouernor in the p.secuting and p.forming of our com̄ands conteyned in these genrall Letters and all such other commands, orders and Instructions which they shall from tyme to tyme receiue from vs, are these which follow.

ffor Sandys Tribe Mr Samuell Whitney
Warwick Tribe Mr John Wainwright
Deuonshire Tribe Mr Rich. Norwood
Padgets Tribe Mr Nicholas Thornton
South.ton Tribe Mr Thomas Richards
Hamilton Tribe Mr John Milner
Pembroke Tribe Mr Henrie M.
Smiths Tribe Mr Christ. Smith

and in consideration of the good service done vnto the Company by Mr Stephen Paynter, wee haue ordered that he shall be a councellor during life, ffor Sheriffe in the Somer Islands we have made choise of Mr John Sumersall And wee pray the Gouernor and Councell to invest him in the said comand with all Im̄unities therevnto belonging, for wch purpose wee have graunted our comission

ffor Secretary Mr Henrie Tucker

ffor Capt of Southampton ffort Capt fflorentia Seymer, ffor Capt. of Padgets ffort Capt George Tucker to be comander for one yeare, vpon the expiration of which and the proposall of the said George Tucker That in case it shall appeare vnto vs that his brother Mr ffrancis Tucker is euerie way fitt and qualified for the said com̄and, according to the character of him giuen to vs in court, That he be admitted to succeed him the said George Tucker in the said com̄and, Wee have thought fitt and ordered That the said Francis Tucker shalbe admitted to succeed his said brother Mr George Tucker in the said com̄and accordinglie, ffor Com̄ander of Smiths ffort Capt Goddard Asser, ffor Com̄ander of the Castle commonly called the kings castle Capt Will Sayle or present Gouernor

ffor Marshall Mr John Bristow

To these we haue granted our commissions according to their respectiue charges

(3) We have likewise chosen for Captaynes of the Trayned Bands

CHAP. XII. 1658–1662.

Ffor S^r^ Georges the present Gouernor Capt Sayle
ffor Sandis Tribe Capt George Bascome
ffor Warwick & Padgets Tribes Capt Hugh Wentworth
ffor Deuon and Pembroke Tribes Capt George Hubbard
ffor Smiths and Hamilton Tribes Capt^n^ Christo. Smith
ffor Southampton Tribe Capt. Thomas Richards.

(4) Now haueing giuen you an accompt of o^r^ officers our expresse comand is That you the Gouernor and councell doe examine vpon oath whether Hugh Wentworth or any person elected to any place of com̄and in the Somer Islands haue had a hand in the late riseing there, And if vpon examination and proofe any such persons be discouered, That they be forthwith suspended from those places to which they have bin elected, And wee do require you the Gouernor and Councell to returne vnto vs an accompt of your proceedings herein, by the next returne of o^r^ magazeene ship.

(5) By our gen^r^all letters bearing date 10 Nouember 1654 [which have not been found, *Ed.*] wee granted a libertie to the inhabitants of the Somer Islands That in case the companyes magazine ship should not arriue at the Islands yearlie by the first day of March That the said Inhabitants might ship their Tobaccos in any other ship, securitie being first giuen for payment of the companyes dutyes But since haueing taken the same into our consideration and finding that such a libertie may proue very preiudiciall to the companie and Plantacon doe thinke fitt that the said Liberty be restrayned, and the order touching the same repealed and reversed

(6) Wee haueing receiued noe returne of that o^r^ comand in our last generall letters That copies of all the standing lawes made in the Somer Islands should be transmitted vnto vs by the secretary there, doe think fitt and require that o^r^ said command be obserued, and that the secretary doe make and returne vnto vs an accompt accordinglie

(7) ffor the better securing of the duties belonging to the Companie for Tobaccoes exported of the growth of the Somers Islands, without which dutyes the company here cannot be supported, the preseruation and defence of the Islands (which necessitie yearlie requires) be provided for, nor the officers both here and there be satisfied & payd their constant sallaryes Wee doe think fit and order That you the Gouernor and Counsell doe cause the goods of euerie person that is indebted to the Companie for their duties and shall refuse or neglect to pay the same, to be seized and sale made thereof, vntill the said duties be satisfied and payd And in case such person shall not haue sufficient goodes to make satisfaction as afores^d^ That you the

CHAP. XII. 1658–1662.

said Gouernor and Counsell do cause the lands (if any be) of such person to be extended vntill the said duties be fully payd And of this our command we do and shall expect a due obseruance and account returned by you to vs from tyme to tyme

(8) ffor preventing that oppression w^ch^ is comonlie done to the people of the Somer Islands by merchants ffactors there [see p. 63] in raising theire comodities to an excessive rate beyond the price set them by the merchant Wee doe think fitt and order That the merchant do henceforth vnder his hand send an invoice to his ffactor of all such goods which he shall transport to the Somer Islands. And if vpon complaint made to the Governor there, or the next Justice of peace it shall appear by perusal of the said Invoyce (which the ffactor is vpon demand to produce vpon Oath to be a true Invoyce) That the ffactor hath raysed his goods aboue the rate sett him by his merchant That euery such ffactor shall forfeit double the value of that comodity which shalbe by him offered in sale The one moietie whereof to be imployed for the good of the Colonie, and the other moietie to be payd to the partie that gave the Information. And the sherriffe in the Somer Islands is to giue and returne to this Company an accompt yearlie how such fines are or shall be employed

(9) The ship we now send you is the Somer-Islands-Merchant John Jenkins comand^r^, to whome wee haue granted o^r^ comissions for this yeares cropp of Tobacco And wee doe require that the Master, Purser, or Boatswayne of the said shipp (that shall be appointed to take accompt of what goods shal be shipped at the Somer Islands aboard the said shipp) shall giue a copy of the same to the secretary in the Islands, expressing therein from whom such goods are sent, and to whom consigned, and that the secretary record it and transmitt vnto vs a true copy thereof . . . .

(10) Upon reading and due consideration had of a petition from the Somer Islands against M^r^ Righton wee have thought fitt and ordered that M^r^ Robert Browne doe supply and execute the place of Minister for Smith and Hamilton Tribes and haue and enioy the gleabe lands there, with all profits and comodities thereto belonging.

(11) Also upon motion of the Right Honble the Earle of Manchester our Governour, That the legacy demised by the last will and Testament of Sir Nathaniel Rich, Knight, deceased,[1] for the maintenance of the Schools in the Somer Islands, might be employed according to the intent of the Testator, we have

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[1] Sir Nathaniel Riche, Kt., member for Harwich, died towards the end of 1636. He was in some way, probably illegitimate, related to the Earls of Warwick and Holland. See notes and Q., 5th Ser., ix. p. 335.

written to Mr Richard Norwood thereby desiring him to undertake the care and charge of the schools as formerly he hath done. And wee have ordered that Percival Golding be usher under him; who is to have such recompense for his paines therein as the Companie shall thinke fitt.

(12) ffurther, vpon reading of a Ltre from Mr Robert Browne (one of the ministers in the Islands) complayning that 18 acres of land haue bin taken away and withheld from him out of the glebe land allotted him at St Georges And vpon reading the survey of Mr Norwood in that behalfe showing that the said two shares haue bin measured by him, and that there are 50 acres therein[1] Wee have thought fitt and ordered that you the Gouernor and councell do cause that the two shares aforesaid be sett out according to the ancient lymitts and bounds thereof

(13) Wee thinke fitt to giue you notice that Mr. Daniell Gaud is continued by vs searcher and surveyor according to his former comission. And wee do require you the councell not to admitt of any other ship for the Trade of Tobacco saue or magazeen ship wch wilbe tymely dispatched vnto you from yeare to yeare

(14) . . . . wee do order and require you the Gouernor and councell to enquire what cedar hath bin felled and carried away from Captn Phillip Lea's land since September 1656 and by whom, and return vnto vs an accompt thereof by or magazine ship. As for the appeales and what else we haue receiued from the Islands you shall find them determined according to the Seuerall orders of Court And thus committing you to the mercie of God wee rest

Your assured friends
Warwicke John Heydon Deputie
Perient Trott Rich Chaundler Tr
Nathaniell Smith
Christo. Hussey
James Browning
Samuell Harwar

To our verie louing friend Capt William Sayle
Deputie Gouernour and the councell of the
Somers Islands give these
London Sept 13. 1658

4. Extract from the Shipping Register.

(1) Wednesdaye the 12th daie of this instant January 165$\frac{8}{9}$*

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[1] Norwood, in his second survey of 1663 (subsequent to this letter) returns on St George's Island: 'Gleabe in the tenure of Mr Samuell Smith ye present minister there. Two shares containing per est. 50 A.' The book of the first survey is lost.

CHAP. XII. 1658–1662.

the Ship Eagle of London John Whitty Commander, betwixt nine and tenn of the Clock in the night, was cast awaie and became a wreck vppon the North East breakers or Rocks of our Island, alias Bermudas

(2) A Proclamation. By the Gouernor

The remembrance of the horrid and vnparalelled abuses offered by our Islanders in and about the Hopefull-Luck wreck, hath bin by the Honor^ble^ companie charged vppon mee (if anie wreck should vnhappelie happen) to endeavour to regaine the lost Credit of our Islands and per consequence the lost honor of our Honor^ble^ companie. And vnderstanding that manie Botes of our Islands haue bin latelie aboard of Capt^n^ John Whitties wrecked shipp And masters thereof haue bin charged by the Shirriffe and Marsiall to deliuer on shore such goods and haue bin by them recouered at Georges towne, and haue notwithstanding carried them elsewhere, to the great disaduantage of the aforesaid Captaine as may bee by him and mee iustlie suspected. These are therefore strictlie to require and comand all such masters of Botes as haue bin aboard the aforesaid wreck that they doe with all speede repaire with such goods as they haue recouered to George Towne, and present the same to the view of vs or either of vs without ffraude or collusion vppon any pretence of inconsiderableness or vnmerchantablenesse whatsoeuer, as they will answer to the contrarie, not onlie vppon the fforfeiture of their proportion for Recouerie, but likewise vppon the strictnesse of the Lawes of our nation for transgressions in the like case prouided, to bee vppon them inflicted (if found tardie) Whereof I doe require euerie pson or psons whome it may concerne to take notice as they will answer to the contrarie at their perills. Giuen vnder my hand the 14 of this instant Januarie 165$\frac{8}{9}$

William Sayle

5. At a Council Table held at Town, the 27th January, 165$\frac{8}{9}$, the Governor and whole Council (Capt. Josias Forster, Mr. Stephen Paynter, and Mr. Francis Watlington, only excepted) being then present.[1]

It is ordered that the next Sabbath day the Councillors in their respective Tribes-church are (after the morning exercise)

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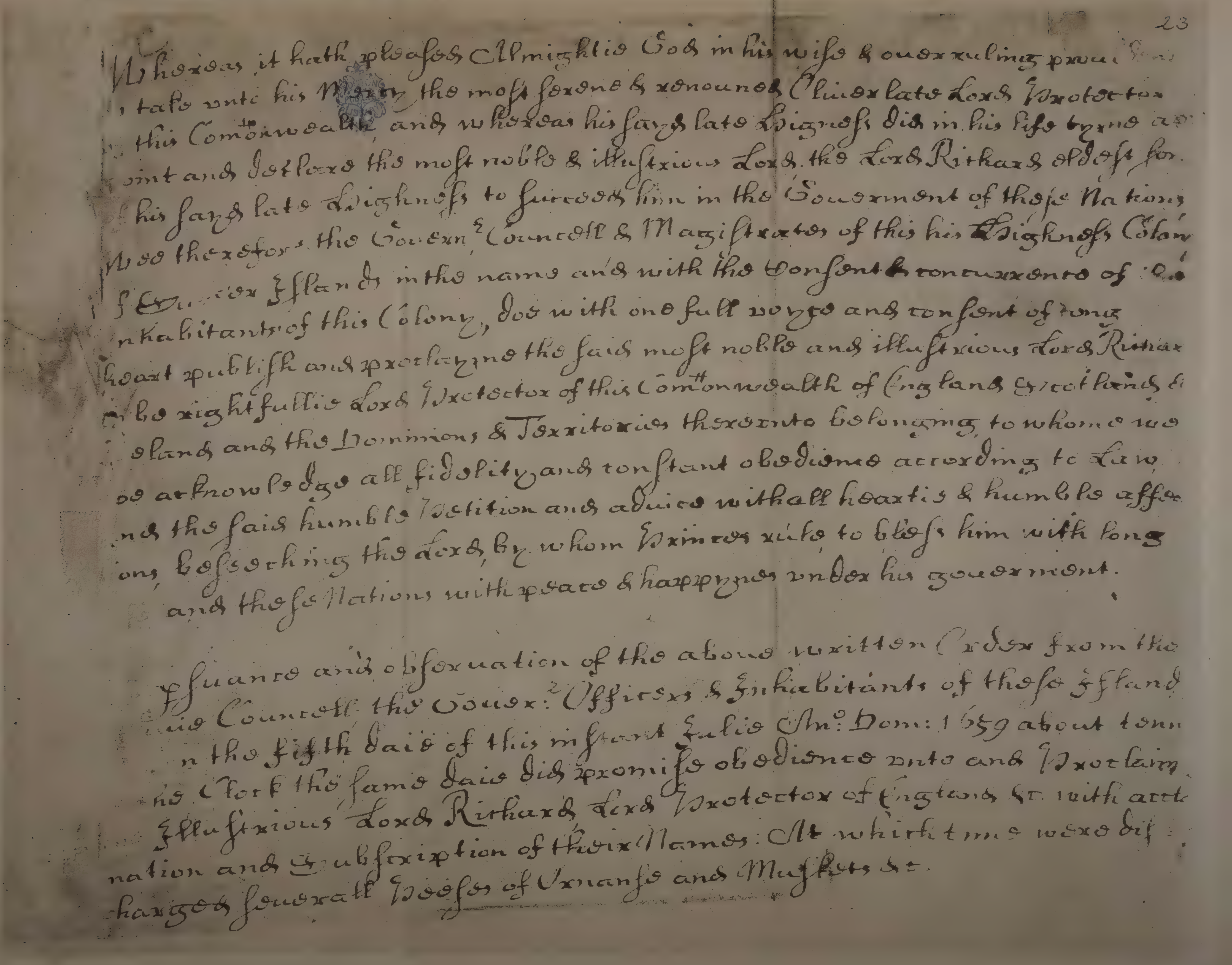
[1] This lazy practice of entering the names of those absent from the Council, instead of recording those who were present, was introduced by Secretary Vaughan about 1646, and followed by his successor, Jenour. The petty obscurities and inconveniences that follow are endless.

MEMORIALS OF BERMUDA, Vol. ii. p. 125 (MS. Vol. iv. p 23).



Whereas it hath pleased Almightie God in his wise & overruling provi
, take unto his Mercy the most serene & renowned Oliver late Lord Protector
this Comonwealth, and whereas his sayd late Highness did in his life tyme ap
oint and declare the most noble & illustrious Lord. the Lord Richard eldest son
his sayd late Highness to succeed him in the Government of these Nations
Wee therefore the Govern.r Councell & Magistrates of this his Highness Colon
Somer Ilands in the name and with the Consent & concurrence of the
nhabitants of this Colony, doe with one full voyce and consent of tong
heart publish and proclayme the said most noble and illustrious Lord Richar
be rightfullie Lord Protector of this Comonwealth of England Scotland &
eland and the Dominions & Territories thereunto belonging, to whome we
e acknowledge all fidelity and constant obedience according to Law,
nd the said humble Petition and advice with all heartie & humble affe
ons, beseeching the Lord, by whom Princes rule, to bless him with long
and these Nations with peace & happynes under his goverment.

ssuance and observation of the above written Order from the
aie Councell the Gover.r Officers & Inhabitants of these Iland
n the fifth daie of this instant Julie Ano. Dom: 1659 about tenn
he Clock the same daie did promise obedience unto and Proclaim
Illustrious Lord Richard Lord Protector of England &c. with acc
nation and Subscription of their Names: At which time were dis
charged severall Peeces of Ordnance and Muskets &c.

to publish to the Inhabitants our ready submission to the power of Richard, the son of Oliver, the late Protector, and own him present Protector of England and the Territories thereof; unto whose Highness and his successors we most readily submit.

6. Paget's Tribe, February 17, 1658. The Governor and whole Council present, the day and the year above written (Mr. Stephen Painter and Mr. Jo. Milner excepted).

Capt George Bascum convented for having formerly said that Capt William Sayle, after the death of King Charles, did say that they were all murderers and traitors that had a hand in putting the aforesaid King Charles to death, unto which Capt George Bascum replieth, that he never heard Capt Sayle vent or speak to his remembrance, any such words in all his life time.

7. Proclamation, July 5, 1659. Accession of Richard Cromwell.

(1) Whereas it hath pleased Almightie God in his wise and overruling Providence to take unto his Mercy the most serene and renowned Oliver late Lord Protector of this com̄onwealth, and whereas his sayd late Highness did in his life tyme appoint and declare the most noble and illustrious Lord, the Lord Richard eldest son of his sayd late Highness, to succeed him in the Government of these nations, Wee therefore, the Government Councell and magistrates of this his Highnesses Colony of Sum̄er Islands in the name and with the consent and concurrence of the inhabitants of this Colony, doe with one full voyce and consent of tongue and heart, publish and proclayme the said most noble and illustrious Lord Richard to be rightfullie Lord Protector of this Com̄onwealth of England Scotland and Ireland and of the Dominions & Territories thereunto belonging, to whom wee do acknowledge all fidelity and constant obedience according to Law, and the said humble petition and advice, with all heartie and humble affections, beseeching the Lord by whom Princes rule to bless him with long life, and these nations with peace and happiness under his Government

(2) In p.suance and observation of the above written order from the Privie Councell. The Gov^{r} Officers and Inhabitants of these Islands uppon the fifth daie of this instant Julie An^{o} Dom 1659 about tenn of the Clock the same daie, did promise obedience unto and Proclaime the Illustrious Lord Richard Lord Protector of England &c with acclamation and subscription of

CHAP. XII. 1658–1662.

their names. At which time were discharged severall peeces of Ordnance and muskets

8. At a Generall Court. Watling street 2 Sept 1659.

Whereas the Tymber of the growth of the Somer Islands hath of late yeares bin much destroyed by transporting the same into England and other parts, and by building therewith boates and vessells which haue bin disposed of and sold to the Barbadoes and elsewhere, and vnder pretence of warrants for transport of cedar (granted to p.ticular persons) much Cedar hath bin conveyed aboard the Companys magazeen ship to the great damadge and p^{r}iudice of the Plantacon. This Court taking the same into consideracon doe hereby expressly prohibit and forbid the Transport of any cedar wood out of the said Islands, either in the companys magazene ship or any other ship or vessel whatsoeuer, except such as shall be made use of for Caske and chests to pack up comodities of the Growth of the place, necessarie fireing to be spent in the Companyes magazene ships that are or shall be imployed and sent to the said Islands. And if any person or psons shall ship or send aboard any cedar wood with intent to transport the same, except before excepted, euerie such person or psons so offending shall forfeit all the said cedar wood and double the value thereof, to be leavyed by distresse and sale of his or her their goods vntill the same be satisfied and payd, and this court do further think fitt That all and euerie person that hereafter shall erect or build any boat or vessel with the cedar the growth of the said Islands shall giue good securitye to the Gouernor for the time being that such boat or vessell shall be for the vse of the country onlie, and not sold or disposed of to any other place, And the Gouernor and councell of the Somer Islands are required effectually to put this order in execucon, and cause the same to be publickly proclaymed, to the end that all persons concerned may haue notice thereof and conforme themselues therevnto accordinglie

Thomas Marten Secretary

9. Sept. 7. 1659. Upon the petition of Anthony Peniston of Bermudas, merchant, setting forth that upon his coming to England, the same seven negroes, which he formerly brought, took the opportunity to make their escape, and are now near Plymouth. The Council of State direct Capt. Anthony Rous to apprehend them and keep them in custody until the petitioner can provide for their safe conduct to London to the Bermudas Company.

These negroes, although doubtless slaves, were also seamen deserters. (C.P. p. 476.)

10. Sumer Islands, September 8, A.D. 1659. At a Council Table held at Paget's Tribe, Vestry House, Capt. Will. Sayle Governor, and the whole Council then present (Capt. Josias Forster and Capt. Stephen Paynter only excepted).

The Honoble Company having the last year ordered that M^r Richard Norwood should be reinvested in the Master's place of the Free School; it hath been again and again tendered unto him, and he having refused the same (unless he may enjoy it upon terms unsuitable to the Companys order). It is therefore ordered by the Governor and Council that the rents belonging to the Free School for this present year, shall be appropriated to the Schoolmasters of the several Tribes, and the Sheriff to see or cause them to be delivered accordingly

11. Extract from a Letter from the Company, dated Sept. 19, 1659.

(1) Upon the Petition of Henrie Smith setting forth his great suffering in being banished with others from the Somer Islands, and being outed of the place of Secretarie in the tyme of Capt^n H Turners Gouernm^t after he had bin at great charges in repayring the house belonging to that Office, and now being returned from banishment to theis Islands, in expectation of Recompense for his suffering, and haueing sued for the same but left destitute of releife, and therefore prayes That he may haue a share of the Publicke lands & a seruant, paying such rent and wages as others do: wee recomend the Petitioner to you the Gouer^r & Councell to grant him such satisfaction and reparation for his sufferings and damadge in that act of Banishment which hath bin giuen to other persons in the like kinde, and to settle him vpon a share of the publick land vpon such tearmes and conditions as to you shall seeme meete.

[Then follow a list of appointments of officers, commanders of forts and captains of the five Trained Bands, and repetitions of Orders 4-5 of 1658 (*ante*, p. 121)].

12. Letter dated Oct. 11, 1659.

Capt Sayle

These few Lynes giue you notice that the Seu^rall negroes hereafter named, hauing ran away from the Islands and landed in England, there hath bin expended in the recouerie of them £20 12s apeice. It is our expresse comand that the negroes be not proceeded against for their liues, but that the money w^{ch} hath bin expended as aforesayd, which wee are satisfied to bee in the whole one hundred twentie pounds eleuen shillings & three pence, be repayed to M^{r} Anthonie Peniston (who hath already disbursed it) either by their respectiue masters, or that the Negroes of such as refuse so to do be sold to make satisfacon And in the case any of them shall happen to die by the way, it is our further will that the charge be equallie borne by their masters Wee haue sent you inclosed a copy of the charge which hath bin already disbursed The negroes names are Saluadoro and his son Samuel; John Deuale; whan (qu. Juan) al^{s} John: these belong to Anthonie Peniston. Anthonie a Negroe belonging to Thomas Griffin. Plenthento another negroe belonging to Paul Trimingham, and thus comitting you to the p.tection of the almightie wee remaine your verie louing friends

Owen Rowe Deputye and seven others

The charge of the negroes Septem^{r} and Octob. 1659 £123 11s. 3d. (See again p. 153).

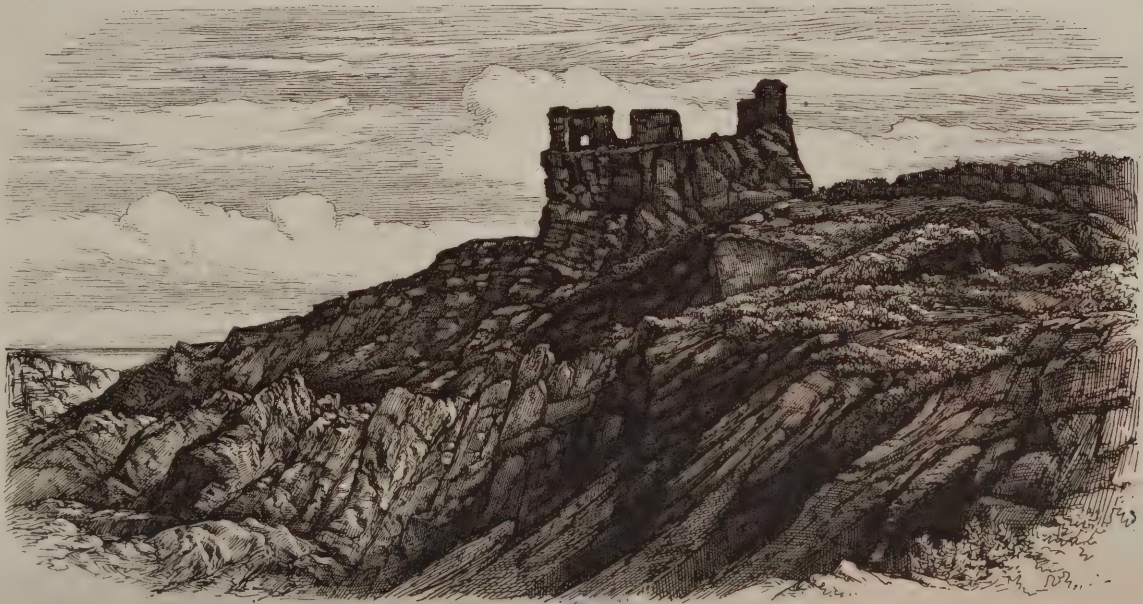
13. At a Quarter Court, October 17, 1659.

The Court being informed that the vending of strong waters with other *privileges* hath bin p.mitted and allowed to persons trading to the Somer Islands for the Incouragement of such persons as have Traffique and comerce with the inhabitants there, thinke fitt and *license* all and euerie merchant Planter or other person that shall transport or carry Goods or Merchandizes or shall trade to the said Islands, shall haue libertie to sell strong waters with the rest of his and their goods & comodities as heretofore accustomed and vsed. Prouided that this liberty be not abused by any such persons for Tipling or the keeping or vsing of any Tipling house in the Islands. And the Gou^{r}nor and Councell there are to haue notice thereof, and to take care that the same be obserued

Thom. Martin

14. Extract from a Presentment of the Grand Jury to a Court of Assizes, held in St. Georges, November 1659.

The Grand Inquest did present John Morgan, Chirurgian, for speaking of most Blasphemous words against Almighty God as per the attestations of Elizabeth the wife of Josias Newman, Samuel Dunscome, Thomas Hartlan, and Louis his wife and Francis Welch do more at large appear, for which Blasphemous words he was censured.



REMAINS of CHARLES FORT BERMUDA. see Vol. 11. p. 651.

From a Photograph [illegible]

By the Secretary and the major part of the Council, to lie in prison, according to the Statute, three months, or to give 10^{lb} Sterg: for the public works.

M^{r} Richard Norwoods censure, that he shall stand upon the Pillory, and be burned through the tongue with an hot iron, and to practice no more in this Island.

Capt Tho: Richards that he shall be forthwith banished.

15. At a Council Table held at Georges Town, the Governor and the whole Council then present, December 6, 1659.

John Loe censured to stand with a bunch of Tobacco plants about his neck, according to the Act of Assembly, at the Church door, is, upon the request of Capt Florentia Semor, at present remitted of that his censure. But if he shall hereafter transgress in stealing of Tobacco Plants again, he is to stand in the Pillory.

16. Order to Mr. Norwood for surveying the Island and Tribes.

At a Quarter Court Derivative for the Somers Islands Company held at the accustomed place in Watling Street London, Monday the 16th of December 1659.

Whereas the Governor and Council in the Somer Islands were in pursuance of several Orders of Court required to transmit and send unto this Company an Account of the names of all the owners of Lands in the said Islands, the number of shares to each owner belonging, and in what Tribes they lie, and that no such account hath hitherto been returned. This Court taking the same into their serious consideration do think fit and order that the said Governor and Council be required by Letter from the Company to be assistant unto M^{r} Richard Norwood in transmitting unto this Company (and he is hereby required to transmit unto them) a Platform and Model of the whole Islands of Bermudas, and all the lands thereunto belonging, as the same are now divided into distinct Tribes, and subdivided into particular shares, with the names of the owners of every share, distinguishing therein, what are the Publick lands, in what tribe they lie, the number of the shares, and who are the present Tenants and occupiers thereof. And that the said Platform be made and returned unto this Company with what convenient speed a business of that nature may be performed.

And this Court do further think fit and order M^{r} Norwood be remunerated for his skill and pains to be taken therein; as the quality thereof shall equally deserve.

The map whose singular history is related in the preface to Vol. I. is the result of this Survey.

17. Januarie the 5th 1659.

Memorand. That Thomas Griffin (the daye and yeare above written, before the Governour) hath relinquished all his Right and Title in the Negroe Anthonie, the which Negroe, Mr Anthonie Peniston hath of late brought out of England. And Mr Griffin hath likewise resigned unto Mr Peniston aforesaid, all his right, title and interest in another Negroe now or late in England unto Mr Anthony Peniston, in lieu of his great charge hee hath bin att in and about the Recoverie and transportation of the aforesaid Negroes. In witness whereof they have hereunto sett their hands the day and yeare above written. And Mr Peniston acknowledgeth himselfe fullie satisfied in and about the premises from Griffin aforesaid.

Signed ANTHONIE PENISTON
THOMAS GRIFFIN

Test: HENRY TUCKER, Secretie.

18. By the Governor. A Proclamation, March 3, 16$\frac{59}{60}$.

(1) To the Inhabitants of the eight Tribes and the Publick Lands. I have received from the Honoble Company a command not to suffer any Timber to be transported out of the Islands. I have prohibited all men from transporting any Timber either for England or any other place; and I, seeing the great want of Timber in the Islands, have thought it my duty to stir up all the Inhabitants of this Island to take it into consideration what a miserable state this Island will be brought into in a short time, if a speedy course be not taken, for half the land in the Island hath not wood to serve for fuel, and yet I do perceive that few, or none looketh after their own good or after generations to come. I now see to the great grief of my heart such abundance of Cedar burnt by firing ground even to the destruction of the Country, which if men had public spirits they would not dare to do, but by their acting they seem to me as if they did desire the destruction of the land; for if those Cedars which are daily burned and destroyed through the carelessness of their servants, or their own carelessness, not regarding the good of the land, they do daily burn and destroy abundance of

firewood that might, with little labour, be saved for their own benefit, and the benefit of them that shall spring up after them, as all good common wealths men would do, and whereas many do pretend by their lopping off young cedars to preserve them, they by their negligence, or to save them the labour to carry away the bush, they fire it so near the trees, that they do burn up the cedars that might by the blessing of God be fit for any use, which the Inhabitants will in a short time stand in need of, even to the destruction of the land, if not timely prevented. These are therefore for to will and require every person and persons in the land to use their uttermost endeavours for the preservation of all young cedars, and to be every year a planting of young cedars for the fencing of their grounds, so by that means the fruits of the earth may be preserved from blasting; and as the old timber doth decay, the young trees may grow up for the use of the land, that the land may not be deserted, for without timber we cannot subsist. Therefore, whosoever for the future, shall be found guilty in any of the premises, they must expect no favour, but to receive condign punishment according to their several demerits. These are desiring all to take notice hereof whom it may concern, as they will answer the contrary at their uttermost perils.

(2) You are further to understand the Honoble Company's great care, that the Inhabitants be not oppressed by the factors; it hath pleased their Honours to send an express order to put every factor to their oaths, that they do sell their Merchants' goods according to the Invoice sent from their Merchants, and they are to take their oaths that the Invoice is the same the Merchants sent with their goods. If it can be proved that they do sell their goods at a dearer rate than is set down by their Merchants, they are to forfeit all the goods so sold, and the informer to have one half, and the other half to be bestowed for the use of the Country.

(3) You are further to take notice that the Honoble Company did appoint M^r^ Norwood to be Master of the Free School, but he having refused it, I, and the Council, have prevailed with M^r^ Jonathan Burr, to take upon him the charge of the Free School, and he will teach any that will repair to him to Warwick Tribe. He will teach to write and to cypher, and teach them Latin for nothing, and the art of Navigation to all those that will pay him for it. M^r^ Percival Golding is his Usher, and whosoever will send their children unto him, he will teach them English and Latin, and to write and to cast accounts for nothing. Thus desiring every person in the Islands that desires their children to be trained up in knowledge and the fear of the Lord to send their children unto them to be educated that we

may leave a Generation behind us to praise and glorify the Lord when we are in the dust.

Given under my hand the 3rd day of March 1659.

William Sayle.

The self-satisfaction of the Puritan ministers in Bermuda began to be disturbed in 1660 by a sect of pietists, whose enthusiasm as much exceeded their own as theirs had exceeded that of the orthodox clergy some twenty years earlier.[1] These were the Quakers. Already had they thrown the Church in New England into alarm; and as early as 1652 it was ordained by the Commonwealth of Massachusetts that 'none of that cursed sect shall be imported into the Colony: that Quakers convicted shall be banished, upon pain of Death.'[2] The first of them, however, did not appear there until July 1656, when they came from Barbadoes. Four of them were ordered to be sold to any of the English plantations of Virginia or Barbadoes in 1658, and four were actually executed in 1659. Such was the light in which they were regarded when no less approved a champion of the faith than the Rev. Nathaniel White became the object of their attack in the Somers Islands; and, as evidence of the violence and indecency of their polemics passes before us, it is difficult not to acknowledge that the Established clergy had some ground for the horror with which they regarded them.

19. At a counsell Table held at the Vesterie house in Pagets Tribe on the 3rd daie of Maie 1660 The Gouernr Captn William Sayle being then and there present and the whole councell except Capt Painter and Mr John Milner.

(1) George Rose and Richard Pinder (comonlie called Quakers) the which arrived here the 24th of Ffebuarie last past, and

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[1] 'In this Year, William Sale, being then Governour of Bermudas, two of the People called Quakers came to that Island, and by their Preaching, several of the Inhabitants, convinced of the Truth they bore Testimony to, began to separate from the usual Way of Worship, and form religious Assemblies among themselvs. At this the Priests expressed much Uneasiness, and by them the Magistrates were so far prevailed on, as that they committed George Rose to Prison, and threatned to banish him out of the Island, but it doth not appear that they made any farther Proceedings against him, or any other of the said People till about five Years after' (see 1665).—'A Collection of the Sufferings of the People called Quakers,' by Joseph Besse, London, 1753, ii. p. 366.

[2] Chambers's 'Political Annals,' p. 167.

have not bin by the Gouernor, Gouernment, or our Reuerend ministers, interrupted in their meetings or assemblies of such of our Inhabitants as haue bin disposed or inclined to heere them exercise their Gifts, in or after their owne waie & manner either vppon the Saboth daie or weeke daies, since their arrivall & aboad amongst vs The aforesaid George Rose hath notwithstanding taken vppon him (the last Lords daie to appeare in Sandis Tribe Church, and before the Benediction by our Rev^d^ minister M^r^ Nathaniell White pronounced) to disturbe him in publique, by his charging of him for deliuering of false doctrines to his hearers, the which the said Rose could not make good against M^r^ White when conuented before the Gou^r^ and councell. But M^r^ White made it plainlie appeare by seuerall Scriptures that whatever he deliuered was according to Holie writt, ffor which practice of his, it being contrarie to a statute lawe in such cases prouided, he is by the Gouern^r^ and Maior pte of the councell censured to lay in Prison one complet moneth, and this wee were constrained to do to preuent further mischief & inconueniences that mite haue followed for there were manie desperate and threatening speeches giuen out by manye of the Inhabitants, that they would tear the Quakers to peeces if they were not restrained from disturbing of our congregations And to preuent murther and shedding of bloud wee were constrained to clap him in prison as aboue expressed

Memorand That these vnderwritten councellors doe not consent to the censuring of George Rose as aboue expressed Captain Thomas Richards, Capt fflorentia Seymour, Mr Joseph Moore & M^r^ Nicholas Thornton.

20. At a Council Table held at Georges the 21^st^ of June 1660, Capt Will: Sayle Governor, Captain George Tucker, M^r^ Francis Watlington, and Henry Tucker Secretie being then present.

The case of Neptuna, the wife of Benjamin Downeham hath this day been taken into consideration, the which having been found guilty of Adultery, for that she hath (in her husbands absence) had a child begotten of her body by John Morgan chirurgian, whereby she hath made herself subject to the sentence of death by the present Laws of England,[1] nevertheless, an opportunity of sending her away to Eleutheria by M^r^ Thomas Sayle's ship being now presented. The Governor and Council in favour to her life, have thought fit, and ordered her banishment there hence, in lieu of the execution of the Law as aforesaid, in the said M^r^ Thomas Sayle's ship

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[1] See the Act of 1650.

21. At a Quarter Court, Watling Street, July 11, 1660.

This court taking into consideracon the manifold mischiefes and euills that are occasioned and bred by vending and selling of strong Drinke in the Somer Islands in an vnlicensed and illimited manner, to the growth and increase of the Odious sinne of Drunkenness amongst the Inhabitants there, to the high dishonour there of Almightie God, the great scandall of Religion and the Gouernment of the said Islands, Doe thinke fit and order. That noe person or psons whatsoeuer within the said Islands shall haue libertie to sell vende or utter strong drinke within anie of the Tribes diuisions or any partes or places thereof as an Alehouse keeper or victualler, or shall keepe any common Alehouse victualling or Tipling house there, except such person or persons onlie as shall have license for soe doeing giuen or graunted vnto them, by the Gouern^r & Councell of the said Islands[1]

22. Extracts from a letter from the Company to Capt. Wm. Sayle by 'the Somer Islands Merchant,' dated London, Sept. 3, 1660. Orders to proclaim Charles II.

(1) [He is much commended for his endeavour to prevent the exportation of tobacco by the Jamaica ship, reported by letter March 3-31, 16$\frac{59}{60}$, but the Company is informed that a considerable quantity nevertheless left in her.]

Wee would haue you admitt no ship to trade with the Islands vpon any p^{r}tence w^{t}soeuer but what shall come vnder the comand of the castle there.

(2) Wee pray you to proceed in recouering the Companies Duties for the Tobaccoes transported in Capt James his ship, and therein to vse your utmost endeavor and what shall be so recouered that you returne and giue vnto vs an accompt by this ship. As for the servants by vs sent the two last yeares which you complayne were most naked and some fitt to put to nurse, wee doe assure you that it is otherwise than the Company knew of, the costs and charges incurred and contracted for them being equal to anie (in euery respect) that the Company haue heretofore sent, And if it hath bin an abuse wee shall take care to see it remedied for the future. . . .

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[1] This order was proclaimed Feb. 28, 1661, see p. 145. There is evidence that distillation was practised in Bermuda at this time. Among the effects of Stephen Paynter, whose will was proved May 1661, are enumerated—'In the Still house, 1 still with the furniture, 4 harnes heads Hhds, 1 Tierce, 1 Hhd and 1 Barrel.' See also p. 28.

(3) The Tobacco received from the Islands this yeare wee find to bee so bad that the one halfe thereof will not defray the charges of transporting. And we cannot but wonder that notwthstanding o^{r} reitterated Comands and Aduises repeated from time to time for reforming this great abuse of making of bad Tobacco That you suffer the Planters to persist to doe as they haue (wee must say for the most part) alwaies done. And if the Retourne this yeare be such as the last was—bad in qualitie, and withall deceiptfullie made vpp, the Adventurers will vndoubtedlie be verie great losers, the officers destitute of the payment of their salaries and the Island itselfe without the supplie that expectedlie and necessarilie ought to be prouided And beside the comoditie itselfe, wee dare to assure will utterlie become out of request. Wee cannot but mind you that vpon less prouocation, the companie haue formerlie ordered that the Tobaccoes thus made should be burnt on the place, according to the Law in that behalfe. And wee shall be constrained to take the like course, if wee see not the same to be timeouslie prevented by you for the future

(4) Wee are very sensible of the want of ministers in the Islands, and haue rather lamented then beene able to supplie the same at this Retourne. Wee haue paid the ministers all theire sallaries that are respectiuely due, and haue giuen to M^{r} Robert Browne Twentie pounds as a gratuitie and engagement to continue his labours among you To whome wee haue directed our Letters as also to m^{r} Burr with theire accompts stated. And for M^{r} White, his sonn hath receiued his sallarie for him here

(5) Wee haue sent you 2 proclamations against Debaucherie and other enormities, and doe require you That you cause the same to be published in due manner and effectuallie putt in operation, and more especiallie Wee will, that in Solemne manner his most Excellent Maiestie Charles the second be throughout the Islands proclaimed King of England, Scotland Ffrance and Ireland Defendo^{r} of the ffaith &c And that the Oathes of allegiance and Supremacie be taken by you the Gouern^{r} and Councell and all Officer Ciuill or Militarie and all and euerie other person or psons within the said Islands according to Lawe. And further that you cause the Kings Armes which wee haue herewith sent you to be sett vpp in the Sessions house at S^{t} Georges, and lastlie That you the Gouern^{r} and Councell doe vse your best endeavours to retaine the people in theire due Allegiance to his Maiestie

(6) [Notice is given of six new silk ensigns sent out for the foot companies to replace those issued last year, doubtless in consequence of the restoration of the Royal cipher; '6 Barrels of Gunpowder, 1 Partizan, 12 Halberts, 100 musketts.']

(7) . . Wee haue considered of what is written by M^{r} Norwood at large touching the ffree school *and of the monies* which he demands to be due vnto him, and alleadgeth to be vnsatisfied by vs and wee *had thought that* wee should haue heard no further of that busines; Since M^{r} Norwood hath declined our Tender *to him and* the conditions of vndertaking the School; at the least nothing more of the demands of Sallary And on a view of what wee haue formerlie written touching the Sallarie and the grounds thereof, wee conceive there is no cause for o^{r} further tender. But as to the shares of land (which we vnderstand to be in number 10) We have ordered that you the Gouernor and council do receiue the meane profits thereof to the vse of the Company, and be ready to giue an accompt of the same vnto vs when therevnto required. And that you p^{r}sent vnto vs by the next returne of o^{r} magazeen ship the name or names of one or more persons which you conceive will be willing to accept of, and shalbe euery way fitted and qualified to discharge the place of schoole M^{r} in the Islands for the benefitt and good of the Country, and haue and receive for his paynes the p^{r}fitts of the sayd tenn shares

23. At a Council Table held in the Vestry house in Pagets Tribe, the 6th day of September Ano: Dom: 1660.

(1) Captain Florentia Semor complaining of Sander Spencer, of Sandys Tribe, for that he hath of late most impudently gone from house to house and possessed several Inhabitants in the said Tribe, that he had seen that day two ships on the west side; when as the said Capt Semor nor any other of the Inhabitants of the said tribe did not, nor could not possibly that day see any ship or ships. The said offence having been taken into serious consideration by the Governor and Council. It is unanimously ordered, that the said Spencer, for that his notorious offence, shall, at the next public meeting in the said Tribe, be whipped in the view of the people then present.

(2) John Huchins, Constable of Paget's Tribe, having formerly complained of three Irishmen, servants to Lieft Whetenhall, Lieft White, and Robert Dickenson, that they did, not long since, in the Southside common path in Paget's Tribe aforesaid, give him the said constable many confronting languages, and withal jussle him as he passed along in the said path; whereupon the said Irishmen for the said offences, by them so committed, are by the Governor and Council, at this present meeting, unanimously censured to stand in their several

Tribes churches during the forenoons exercise, in the full view of the Congregation, with a paper fixed upon their breasts, with their offences towards the aforesaid constable, by them committed, therein expressed : and immediately after the said exercise is finished, to sit in the Stocks until the ensuing exercise beginneth.

(3) George Rose a professed Quaker hauing of late in a clandestine manner gained into his hand a letter of our reuerend Minister M^r Nathaniel White (as the said Rose alleageth it to bee M^r White's, though hee hath not produced the originall under M Whites hand) written in Elutheria soon after his banishment from hence, being about eleuen yeares since, And hee the said Rose haueing first descanted vppon the said Let^r and haueing collected therehence what he could, not onlie to the naked disparagement of the said Mr White but principallie (as is most apparent) to reviue and recollect an Odium betwixt him the said M^r White and the Inhabitants of these Islands in gen^{r}all, by his (likewise) secretly transcribing the same and giueing as well as reeding Copies thereof vnto sum of our Inhabitants, as he hath confessed, Which practice of the afores^d George Rose haueing bin taken into serious consideration, as likewise M^r Whites voluntarilie and freelie remitting in publique since his return from Elutheria the aforesaid outrage dun vnto him by our aforesaid Inhabitants Hee the said George Rose is thereuppon vnanimouslie censured to lie in prison vntil his departure from these Islands And by the maior parte of the Councell not to be suffered to haue either Pen, Inke, nor Paper during his said imprisonment

(4) ffancis Islie alias Estlock a person of the same judgement with George Rose haueing bin complained off by Captain William Nelmes for his refusing to beare armes at his exercising of his Souldiers vnder him Is at the present onlie admonished to reforme vpon the like occasion hereafter. But in case hee the said Islie shall for the future refuse to beare armes, hee as likewise anie other of the same Judgement are to lie bound necke and heeles together during such exercise vnder Captain Nelmes or anie other Captaine of a Trained Band in these Islands. And in case of an invasion of an enemie to be forsed to fight in the ffront thereof

24. At a Gen^{r}all Court held on Wednesday the 12 Septemb^r 1660.

Vpon Complaynt of the Secretarie that he receiueth little benefitt by the Table of Ffees allotted him by the Court. It is ordered that he shall not be compelled to deliuer out any order to any person that concerns any priuate mans busines vnles he be first paid for the same according to the Table of his ffees sett and allowed of by the Court. And that no intimacon be inserted in genrall Letters of any order made in any priuate mans busines, vnles the party concerned hath taken out his order and payd the Secretarie his dues

(Signed) Thomas Marten Secretie

25. At a Councell Table held at St Georges the 26th day of Septemb. Ano Dom. 1660 being then present

Capt William Sayle Gournr & Captaine of the kings castle
Captn George Tucker Comandr of Pagets fforte and councellor of State
Capt fflorentia Semor Comandr of Southton fforte & Counceller of Sandis Tribe
Mr John Millner Councellr of Hamilton Tribe
M John Deuitt Councellr of Warwicke Tribe
Captain Thomas Richards Councellr of Southampton Tribe
Mr Ffrancis Watlington Councellr of Devonshire Tribe
Captn Christr Smith Councellr of Smiths Tribe
Mr Joseph Moore Councellr of St Georges & Tuckers Towne
Captn George Bascom Councellr of Pagets Tribe

Henrie Tucker Secretarie

(1) The Gouernr haueing receiued by Mr John Stowes shipp the 24th of this inst. September Printed Bookes Proclamations Lettrs and certaine Intelligence by the waie of Barbadoes from England That Charles the 2nd was the 5th daie of maie last past Proclaimed thor'out all England &c kinge Hee hath this daie comunicated the aforesaide happie newes vnto his Councell and propounding vnto them all to be sworne according to the ancient Recorded fforme (in relation to submission to the kinge &c) Hee himselfe and the aboue resited Councellors haue this daie most willinglie and redilie according to each mans place and office taken the aforesaid oathe

Vnanimouslie Ordered that the kinge bee proclaimed at St Georges and at the Hede of the Trained Bands of these Islands according to the Proclaimation receiued out of England at Eleuen of the clocke vppon Tuesdaie the second daie of October 1660 At which tyme three guns at the kings Castle, one at Southāton fforte, one at Pagets fforte, and the gunn at the mount, are to bee discharged and three vollies of shott at each Trained Band, Ordered likewise that the Parliament or state Distinction latelie vsed and allowed in the fflaggs at the Castle and the Seu^{r}all fforts bee taken out of the same and the fflaggs to be in *statu quo prius*

(2) Lief^{t} John ffoxe Deputie Comand^{r} of Smiths fforte and Lief^{t} Jonathan Stokes Deputie Comand^{r} of Pagets fforte conuented before the Gou^{r}no^{r} and Councell for their pusillanimous & cowardlie comportment in suffering M^{r} John Stowes shipp to passe by their fforts and cum into the Harbor with his fflagg aloft. As likewise for that both of them did at the same time uppon M^{r} Stowes p.functorie p^{r}suasions lower their aforesaid fforts fflaggs and giue him Gunns without any lysence. [Censured to be turned out of their places and not to bear office again in the like places in these islands. Afterwards on Mr. Stowe's intercession mitigated.]

26. At a Council Table held at St. Georges, October —, 1660, present Capt. William Sayle, Governor, &c.

The great inconveniences that must of necessity follow by Jurors being Attornies to plead other mens actions in Court (whereby the proceedings of the Assizes are greatly impeded) by waiting for them to plead their friends actions, when they are impanelled and gone out with their fellow Jurors; having been taken into mature consideration, It is thereupon unanimously ordered at this Assizes in open court; that for the time to come, no Juror shall be Attorney for above one action at an Assizes; and that care shall be had for the future, that none be chosen Jurors that have above one action to try in the Court.

27. At the Assizes, November 27, 1660.

(1) John Moclarie an Irishman haueing presumptuouslie vndertaken to deliuer a caske of Rumbullian to the Gouernors Negroe woman Sarah Simon to keepe, if not to retaile the same for his aduantage, and thereby haueing occasioned great disorder and drunkenesse amongst the Gouernors Negroes and others, and the same Rumbullian[1] haueing bin discouered by M^{r} John Bristo Marshall It is vnanimously Ordered that the same shall be sould and the produce thereof be bestowed vppon the Scochman latelie wounded by Matthew Makennie for his maintainance

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[1] This word cannot be traced. It is not now known in Bermuda or the West Indies, as far as the writer has inquired.

CHAP. XII. 1658–1662.

(2) The warrant for repreiuing of M^r John Vaughan and John Righton.

To Capt George Tucker shieriffe

These are to allow you, notwithstanding my warrant directed vnto you for the executing of John Vaughan and Richard Raighton when they be upon the lather and made fast to the gallus, and haue made thier confession and you cannot get anythinge from them concerning the murdering of the woman [1] That then you repreive them, and comitt them to prison againe whilst you do here from me But if you can discouer or gather from them or either of them that they had any hand in murdering the woman, then to execute him. Or if both had a hand in it then to execute both of them, And for your soe doeing this shalbe your sufficient warrant Giuen under my hand this 4th of December 1660 (signed) WILLIAM SAYLE

28. Presentment at the Assizes, December 1, 1660.

(1) The Grand Inquest did present Martho Makenny Scotchman now in prison for that contrarie to Christiantie or humantie vpon a premeditated and spleenfull malice, he did most cowardly cruellie and almost mortally with a naked sword, stabb and wound one Daniel Maclary a scotchman of Devonshire Tribe, to the vtter disabling of the said Maclary (as is conceeued) euer to gett his liuing if he scape with life. Also this inhumane wretch Martho Makenny not content with the forementioned villinous act but when Bartholomew Cotes Hedburrow of the said Tribe came to the Rescue of the wounded p.son the said Makenny did strive to his vtmost to haue stabbed the said Cotes.

Whereuppon the said Martho Makenny was censured to lie in prison, and to beat corne or do any such seruile labor as the Marshall shall thinke vppon to be most aduantageous for the gaining of his liueinge

(2) Nine married Couples are sentanced to make a publique acknowledgement in the respective Tribe Churches of sin before marriage in the following terms

I *A. B.* doe humblie and heartilie acknowledge in the presence of Almighty God and before this Congregation that I haue greatly offended his heauenlie maiestie and you all . . . .

---

[1] Neither of these two persons had been convicted of murder. The offence for which they were severally tried and convicted was robbery in a dwelling-house. And the murder, of which it was hoped to extract a confession, was a totally different crime of which they were suspected to be the perpetrators, although they had not been tried for it (see p. 147).

CHAP. XII. 1658–1662.

And doe earnestlie desire this congregation to pray vnto God to forgiue me for this my great offence, ffor I haue bin a dishon^r to God, and a shame to the profession I haue professed and haue . . . . imboldened others to com̄it that horrible sinne . . . . , and so by that menes the Islands is stored with children that are not legitimate, neither can they inherit any of their father's lands, but are to be counted Bastards and I am ashamed of my horrible sinne, and I doe heartilie desire the petitions & earnest prayers to almightie God of all here assembled to ioyne with me in prayer & supplicacon vnto the Lord for pardon of this my great offence wherein I haue broken the lawe of God and our kinge and that for the time to come I may be a paturne of good to all amongst whom I liue, and may for the time to come bring forth fruite to the glory of God

(3) Four men and as many women (negroes) are sentanced to receive 39 lashes each at the whipping Post in S^t Georges for immorality

(4) John Davis a mariner is permitted to marry Penelope Strange one of the Companys molatto women upon condition that every other child born of the marriage shall be the property of the Company—reserving to the said Davis the right to put in a negro child in lieu of any one of those so falling to the company; and also to use any means he may to the company for the procuring of Penelope's freedom: but in the interim he is to pay 40^s per annum for her wages.

29. At a Counsell Table 12 February 166$\frac{0}{1}$.

M^r Richard Norwood haueing at this councell Table alleaged that he hath latelie made sweete oyle of oliues of the growth of the oliue treese of these Islands, and conceiuing that it may be advantagious in time to the inhabitants to plant plentie of oliue treese in relation to the making of plentie of oyle, hath moued that the Inhabitants in generall may be incouraged in the proiect aforesaid. Where upon it is vnan.ouslie Ordered, that there shall be planted vppon euerie share of land in these Islands tenn oliue treese And that the Gouern^r doe in the next Publication make signification hereof to the owners and Tenants of Land throout these Islands[1]

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[1] A venerable olive tree, one of the largest in Bermuda, exists on Norwood's property, close to the house in which he once resided, and which is still occupied by one of his descendants. The olive in Bermuda probably originated with chance seeds scattered by the shipwrecked crew of some Spanish vessel. At present the tree is somewhat scarce, and no use is made of the scanty fruit.

30. By bond, dated February 20, 166$\frac{0}{1}$. Capt. George Tucker, Capt. Phillip Lea, and Mr. Paul Trimingham, owners of the vessel called the 'Hopefull James,' engage themselves 'joyntlie and seuerallie in fourr hundred pounds sterling to saue harmlesse John Dorrell of the abouesaid Islands, and his assignes from all troble and damages that he or they shall receaue from any member of the Sum̄er Islands company of Merchant aduenturers' . . . . for all tobacco to be shipped by him. He the said Dorrell paying at the port of delivery 1*d.* per lb. for the Company's duties and 1¼*d.* per lb. freight.[1] The shipper to have choice of any three ports in Ireland; and in the event of the lading being delivered in bulk at any of them, to be afforded free passage for himself to Bristol; but if no considerable market present itself in Ireland, then to have choice of any port between the Land's End of England and Hampton. The tobacco was apparently not ready for shipment until April, when John Dorrell, Edward Sherlocke, William Berkeley, and George Tucker severally bind themselves to pay, or cause to be paid, to Capt. W. Sayle, the Governor, various sums, 'For the use of the honorable company for their pence for the duties on Tobacco shipped.' The total amounts to £106 4*s.* 10*d.*, representing 25,798 lbs. of tobacco, and the 2¼*d.* per lb. for freight and duty being exactly equal to the estimated value of tobacco in the levy of the previous year; the duty was 22 per cent. and the freight nearly 28 per cent. on its cost at the port of delivery.

31. The Accompt of the Shieriffe for the Generall Levie An : Dom 1660.

The Countrie Debito$_{r}$ pr Tobacco.

	l
Imprim To the Lieft of the Castle & Souldiers for theire Salleries .	2350
To Mist^{r} Stalvers for the fferrie . . .	600
To M^{r} Otwood for keeping the Bridges at Burnt Pointe . .	100
To Larence West for keeping the Bridge at the fflatts. . .	50
To old Higgs . .	100

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[1] £11 13*s.* 4*d.* per ton.

	l
To old Robesin . .	150
To David Minge for felling & squaring of Joyce, and makeing of Trussells for the platforme at the Kings Castle & Southampton fforte . . .	200
More to David Minge for felling & squaring of Timber for Southampton fforte . .	160
To the Castlemen for victualing Carpenters that laid the Platforme . . .	100
More to the Castlemen for makeing of two Sesturns for water .	120
To the Mount keeper and Crier . . .	200
To Joseph Goodfaith for fixing the armes at Towne and the Castle	100
More for fixing the Armes of Smiths & Hamilton Tribes .	100
More to him for clensing the armes which was due to him upon the last yeares Accompt .	20
To George Leman & his man for 8 dayes worke for plaistering the Court of Guard at 16^{d} y day a man . .	84
To Will: Homes for 7 dayes worke about the Court of Guarde at 16^{d} y day . . .	37
To Joseph Goodfaith for makeing of Linspins & bolts for the fforts and Castle . .	160
More to Joseph Goodfaith for worke . .	150
To the Mount Keeper at fflemish Wreck . .	100
To M^{r} Joseph Moore for dieting of the Sayers for sawing of Timber for the Castle & fforts	56
To Lieft Jones for dieting of Sawyers for sawing of Timber for the fforts & Castle . .	120
To M^{r} John Bristo for dieting of Sawyers for sawing of Joyce for Southampton fforte, for the Castle and for 100 of spikes . .	40
To old Olderhead . .	100
	5347

	l	s	d
The sum set in monie sterl . . .	66	16	9
To severall workmen for laying of a platforme at the Kings Castle and other works as followeth.			
Imis. To Richard Joell for 15 dayes worke at 1^{s} 6^{d} per day . . .	1	2	6
To John Argent for 6½ dayes worke .		12	0
To M^{r} Sumersall for 3 dore locks .		9	0
To William Spachurst for 16½ dayes worke . .	1	4	0
To John Renalds for 12 dayes worke .		18	0
To Mist^{rs} Marsh for nailes for the Castle boate .		6	6

	l	s	d
To Thomas Wells for 9 dayes worke at 2^s 6^d y day .	1	2	6
To his man for 10 dayes worke at 18^d y day . .		15	0
To John Well for 19 dayes worke at 2^s y day . .	1	18	0
To John Welsh for worke done at Smiths fforte .		1	0
To 2 gallons of aquavita for the Castlemen, Carpenters, and severall others for helping to Carrie the Joyce & Timber to the Castle . .		12	0
To 60^{ls} of Beefe for the Workmen at the Castle .		11	0

	l	s	d
To Anthonie Penniston for sawing of Timber for Southampton fforte .	2	0	0
To Nath : North for sawing of Joyces & dieting the Sawyers . .		18	0
To John Bedwell for a Crow of Iron for the Castle .		3	0
To John Welsh for mending the Castle boate, & for worke done about the Court of Guarde . .		8	0
To Stuff for the Castle Boate .		10	0
	80	7	3

Per Contra Credito

	l
Pr Eight Tribes at 240lbs each	2720
Rents of the Publique lands. For the Sherifs land	200
M Joseph Mores Rent	160
Coopers Island Rent .	40
William Allen . .	50
Hen : Harding . .	50
Lieft Hilton . .	100

	l
Pr Robert Burcher .	50
Thomas Higgs . .	50
William Bell . .	30
Lieft Brangman .	50
Lieft Bracklie . .	100
Longburd Island .	80
	5280

	l	s	d
The Sum sett in monie Sterl .	66	0	0
The monie Attacht of Mist^{rs} Taylur	11	16	0

	l	s	d
Pr monie of Thomas Stowe for an Anker . . .	2	10	0
	80	6	0

32. Extract from a Proclamation aimed at the Quakers, January 2, $166\frac{0}{1}$.

I vnderstanding that there are some amongst vs that doe hold strange opinions. I doe not purpose to anticipate his Maiestie and his great councell the Parliament But shall waite to see what shall bee by his Maiestie and Councill ordered therein. These are therefore to will and require them to demene themselues honestlie and civilie and not to disturb our Ministers or people, nor to meete in any Tribe where our ministers doe preach on that day, nor to suffer any concourse of people to be there to profane the Lord's day nor goe about their worldlie affaires, as I am informed some of them have latelie done. And I desire them to knowe that if they will not yeald obedience to his Maiesties Lawes, if by that meanes they do lose that libertie they haue enioyed, it will be their owne follies. Thus desiring them to conform themselues and to yeald obedience to all our lawfull com̄ands, as they will answer their contempt at their utmost perills

Giuen under my hand at Georges this second daie of Januarie $166\frac{0}{1}$

William Sayle.

33. Proclamation by the Governor, February 28, $166\frac{0}{1}$.

(1) [The resolution of the Quarter Court of 11 July, 1660 (*ante*, p. 134) relating to licences for the sale of liquor, is promulgated, and the proclamation proceeds]

(2) In pursuance and strict obseruation of the aboue resited order I doe hereby will & require and in his Maiesties name charge and comand all manner of officers in these Islands (for the obseruation and strengthening the hon$^{\text{ble}}$ companies order aforesaid To discouer vnto myselfe and Councell such as presumptuouslie act to the contrarie That such refractorie offenders may be proseeded against according to the Lawes of our nation and the Acts of our Assemblie. But for such persons in the seuerall Tribes as shall be approued of by myselfe & Councell to be worthie to vndertake to vend strong drinke in their Houses by retale They are hereby to take notice That after approbation had as aforesaid, and their names taken by the Secretarie before mee and the Councell. Such persons vpon securitie giuen in the Office for their keeping good order in their houses as afforesaid shall haue forthwith Licenses according to the practises of our nation and none others whatsoeuer.

Giuen vnder my hand ffeb. 28th $166\frac{0}{1}$

William Sayle

34. To M^{r} Nicholas Thornton Councell^{r} of Pagets tribe By the Governo^{r} 14 March 166$\frac{0}{1}$.

Whereas it is Contrary to the Lawes of the Kingdome of England, and the Hono^{ble} Companys Orders, that anie goods shall bee put aboard any Ship riding at an anker in any Creeke or other obscure place. And I have bin informed that Tobaccoes have bin lately shipped aboard the Hopefull James, now at an anker in Crow Lane.[1] These are therefore in discharge of my duty, and for prevention of such preposterous & unwarrantable practices In his Maiest^{ies} Name to Charge & Co͞mand Capt Philip Lea Co͞mand^{r} and all others w^{t} soever That have any ma͞ner of interest in the said shipp to forbeare shipping any Tobaccoes as aforesaid, but to be active in bringing downe the sayd shipp into one of our harbours soe soone as winde and wether shall possibly permit. Hereof fayle you not, as you or any of you Concerned in the premises will answer to the Contrary at your severall perills. Given under my hand at S^{t} Georges, the 14th day of March An^{o} Dom 1660.

Signed

William Sayle.

35. To Mr. John Bristo, Provost Marshall. By the Governor. A Warrant, April 1, 1661.

These are to will & require you upon the receipt hereof to repaire on board the Hopefull James, Lying in the Lane, And then & there to require M^{r} John Dorrell and the Master of the said James, and their Companie in his Maiesties Name, the first wind and weather, to bring downe the sayd James into one of our harbours, according to an order sent y the Hon^{bl} Companie, beeing, That no Shipps take in any goods in any Creeke, but in one of the Harbors. Whereof fayle you not as you or they will answere the Contrary at your severall perrills. Given under my hand at S^{t} Georges the first of Aprill 1661.

Signed

William Sayle.

36. At a Council Table, April 9, 1661

(1) M^{r} John Vaughan haveing bin at the last Assizes legallie proseeded against and formallie Convicted for ffellonie and the Sentence of Death thereuppon then pronounced against him, though afterwards Repreeved by the Govern^{r}. The which, uppon Suspicion of his haueing a hand in the drowning of Miss^{es} Ellen

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[1] Crow Lane is the present Hamilton Harbour, then an 'obscure place.'

Burrows by his sodaine sending away of his servant, which was the last person that was present with her before her death.[1] It is thereuppon unanimouslie ordered that the said Mr John Vaughan shall be imprisoned untill the Magazeene shipp bee gon. And the Companie in the Generall Lettr be moued. That the Land now in his possession at Deepe Bay may be taken into the Sheriffs hands for the continued accomodation of the Comandr of Pagets fforte according to their first intention and Institution. And further that what monie or plate hee hath in his Custodie, that was left with him by Edward Walkens a man of-war, deceased, may be seized for the publique uses at the return of the Magazeene Shipp, by the Companies Order And in the Interim the Sheriffs Deputie be empowred by warrant to sequester the whole Rents & benefits of what lands hee or his Assignes are possessed off in the whole Islands, untill the Companies pleasure bee further signified in & about the Comission.

(2) It haveing bin by Lettr signified of late to the Governr that there is an Act of Parliament for the anniversarie and solomne Thanksgiving kept uppon the 29th day of May for the ffuture. ffor that his Maiestie was uppon that day of the aforesaid Month Restored to his Royall Rights in his kingdoms of England and his other Dominions thereunto belonging. It is thereuppon unamouslie ordered that uppon that day wee doe hould a Generall Thanksgiving and, as solomnlie observe the same thurrout these Islands, as our abilities shall reach unto By our General repaying uppon that day to the severall Churches to heere either our Ministers or our Reeders &c. Mr Nathaniell White to be at Pagets Tribe Church & Mr Burr at Hamilt: Tribes Church.[2] . . . .

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[1] The coroner's inquiry has been preserved:—

The names of the Jurors Impannaled upon the Coroners Inquest (John Rawlins coronr) the 27th of April 1659 upon the death of Ellen Burrowes as followeth
Mr Chancey Sandes fforeman (and 14 more)
Uppon attestacons taken of seuerall persons touching the death of the said Mrs Ellen Burrowes, the aforesaid Inquest haue made their *returne* in manner and forme following

Wee whose names are aboue written being chosen to serve the *Lord* Protector of England to make enquiry after the sudden death of *her to* wit Mrs Ellen Burrowes, being latelie taken awaie Doe find *the* Imediate hand of God uppon her, and not anie meanes wrought *for* taking awaie her life either by herselfe or any other what *ever*

[2] This order throws much light on the status of the Established Church in Bermuda after the Restoration. The Rev. Nathaniel White had incurred in 1649, by his nonconformity, the penalty of banishment to Eleutheria, and was at that time the leader of the Independent party, as yet a party *in* the Church. He was recalled about 1657, resumed his cure without any change, so far as appears, in his opinions, and yielded to the Church order now re-established so far as to perform even the State services. That the episcopal discipline (wanting episcopacy) prevailed, that the Established Church of England was also the Established

(3) Mr Richard Norwood haveing bin reinvested in the place & benefitts belonging to the ffree Schoole, according to the Companies late order to the Governr & Councell here And thereupon Persiuall Golden having bin warned by Mr Norwood to provide for himselfe another habitation at or against the next Genall Division. It is thereuppon unamously thought fitt that the said Gouldens condition be taken into consideration, and another habitation provided for him before anie other person. In case the Governor and Councell shall have an oppytunitie presented of furnishing him therewith. But however hee is to remoove himself and ffamilie there-hence at the Division aforesaid.

37. Sum̃er Islands. April the 23rd Ano Dom: 1661.

Mr John Darrell of these Islands Merchant and Com̃ander of the vessell Hopefull James, now riding at an Anker in the Towne Harbor hath appeared before mee in my Office in these Islands the 23rd day of this instant, and hath made his complainte to mee. That the aforesaid vessell is overcharged with severall chests and provisions uppon her deck, which will hazard the lives and estates of such as are to goe in her, and for proofe thereof hee hath produced before mee Capt John Stowe Com̃andr of the Shipp Elizabeth and Anne, and Capt Thomas Sayle Com̃andr of the William ffrigott. Which Com̃anders have testified the truth of the yrmisses before me. I therefore Henrie Tucker publique Notorie doe protest against the seas and goods aforesaid Whereof let everie one take notice whom it may concerne.

Henrie Tucker Secretie.

38. At a Council Table, May 2, 1661.

Sarah the daughter of William Guise of Hamilton Tribe, foure years since married by the civil Magistrate in these Islands to John Redman a Marinr, from the which Sarah, the said Redman haveing bin absent these three yeares. And not onlie, having declined the refreshing her and two children (Twinns) by him begotten upon her by sending any manner of accomodation for their subsistence: but likewise haveing denied that hee ever was married unto the said Sarah. And the said Sarah haveing thereuppon cast her affections upon John Shillins Marinr. And the said parties intention of Mariage haveing bin published in Hamilton Tribe Church three times according to the practiss of the Church of England, and noe person or persons haveing ob-

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Church of the colony, and of all the then colonies, would appear to be beyond all reasonable denial, were it not that the contrary has been maintained by her opponents in Bermuda and elsewhere. In 1684 the Bishop of London, apparently for the first time, endeavoured to communicate with the clergy directly.

jected against the said contract of Matrimonie, It is, together with the approbation of the Reverend Mr Nathaniell White Ministr, unamously consented unto, That the said parties John and Sarah aforesaid be by the said Mr White forthwith joyned together in Mariage.[1]

39. To Mr John Bristo, Provost Marshall. By the Governor. A Warrant, June 21, 1661.

(1) The terms of the warrant to the Marshal are nearly identical with those of the Commissioners of the same date.

(2) Sum̃er Islands. A Warrant, June 21, 1661.

Whereas the good shipp Ould St Jacob of Amsterdam hath latelie arrived and Ankered in the Castle Harbor, and since her ankering hath bin by Merchant and severall of the Officers or Seamen thereof Excepted *against*, ffor not being sufficient or Capiable of proceeding upon hir intended *voyage* of sayling to Amsterdam according to intention, without great perill of losse of their lives and the Estate of such principall or principall *merchants* eminentlie interested therein. These are therefore to authorize Captaine John Stowe, Capt John Wentworth, Capt Edward Stanian, Mr Hugh Wentworth, John Welsh and the Timberman of the said shipp to goe aboard the said Shipp this Instant daie, And according to the free Consent of Capt Charles Eisibergh the Com̃ander thereof and Mr John Christian the Merchant thereof, to view and examine the sufficiencie of the said Shipp in relation to the proceeding of hir intended voyage. The which aforesaid persons in behalfe of themselves and all others whome it may concerne, have engaged before mee the 29th day of this instant Moneth to stand unto and abide what doom you under your hands in your Judgments (in relation to the abilitie or non abilitie of the aforesaid Shipp for performance of her voyage as aforesaid) shall Doome and determine. And for your thus acting this shall bee your sufficient Warrant. Given under my hand and the Seale of Office the 21st day of June at St Georges Ano Dom: 1661.

Signed
WILLIAM SAYLE.

40. Council, June 27, 1661.

(1) Uppon a Controversie depending betwixt Mr Richard Norwood Mr John Stowe and other the Inhabitants of Pembrooke

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[1] Absence for three years was the legal term which released a wife from penal consequences of infidelity; if it did not *ipso facto* dissolve marriage.

CHAP. XII. 1658-1662. Tribe about a bridg or path over a Pond lying in M^r Norwoods land It is thought fitt that these underwritten persons Attestations be taken for the better heering thereof.

The Attestation of John Pitman Sen^r who bein sworne

Saith that the Bridg over M^r Norwoods Pond hath bin a path about these Thirtie yeares for Burrialls and Christnings And that none have bin denied to passe over the same by him while he lived uppon the same land And that he did live thereuppon about tenn years, and further saith not

JOHN P PITMAN.

To the same effect two other depositions.

(2) In relation to the premisses It is unanimously Ordered, That the said path shall bee free as formerlie it hath bin untill a Troyall for the same may be had at the next Generall Assizes.

41. A Proclamation, July 10, 1661. To the Inhabitants of the whole Islands. By the Governor.

Whereas divers of our Inhabitants of o^r Islands have bought divers Pipes of Wine to Retaile the same, which practise is against the Law of o^r grate Kinge and the Honor^{ble} Companies Comaunds, which have Ordered that none shall bee permitted to sell Drinke in their houses, either by pinte, quart, pottoll or Gallun Except such as have a Licence soe to doe, from the Govern$_r$ and Councell. Therefore these are to will & require everie person or psons through the whole Islands in his Maiest^{es} Name not to presume to sell any Drinke in their houses by the Pinte, quart, pottoll or Gallun, or suffer any tipling in their said houses. But if any shall contemne and not obey, These are to will and require and Comand everie Justice Constable & Hedburrow That if any shall presume to sell Drink by Retaile without a Licence; Imediatlie to send them downe to prison according to his Maiest^{es} Laws provided in that case. And for your soo dooing this my Warrant (according to the Law provided) shall bere you out: And for any Officer in the Islands that shall not be vigilant & faithfull to Execute this Law, they are to fforfeit Twentie shillings for every default, the which, God willing, I shall *exacte* to the full. Given under my hand at S^t Georges Julie the 10th 1661.

WILLIAM SAYLE.

42. At a Council Table, August 22, 1661.

Uppon the Complainte of a Negro woman of M^r William Caxon against her Mistris, for her late crueltie used against the said Negro. It is unam̄lie Ordered. That if Miss^{es} Caxon shall persevere in exersising crueltie towards the said Negroe whereby shee may have a fresh cause of complainte. The Negroe shall be placed with sum other Master. And her aforesaid Master shall receive wages for his said Negroes labor.

43. A Pardon, August 13, 1661.

To all people to whome these y^{r}sents shall come. The Governor & Company of London for Plantation of the Sum̄er Islands Send greeting. Whereas John Righton of Smiths Tribe in the said Islands Cooper, was indicted in or about the yeare of our Lord 1660 at an Assizes held before Capt William Sayle Deputy Governor of the said Islands and his Councell there, for feloniously taking away and stealing in the said Islands, of the proper goods and chattells of Capt Michaell Burrows of Sandis Tribe gent, for which the said John Righton stands condemned and adiudged with Sentence of Death for the same. Know ye therfore, that by virtue and authority of his said Ma^{ty} King James of famous memory, his Lrs Patents to us in that behalfe bearing date the 29th day of June in the 13th yeare of his said late Ma^{ties} Raigne. Wee the said Governor & Company att a Generall Court by us holden the 29th day of this instant Moneth of August Out of our pious affection, certaine knowledge, and meere motion. Have pardoned, remised & released, And by these presents for us and our successors doe pardon, remise & release unto the said John Righton of Smiths Tribe Sum̄er Islands Cooper aforesaid, or by w^{t}soever name, calling or addition of name or callings, art, mystery, place or places the same John Righton be knowne or called by, the felony aforesaid, and all & sing^{lr} trespasses and other malafactions, atteynts, judgments and condemnations by penalty of death, corporall punishments, imprisonments or other penalties or paines whatsoever upon or against the said John Righton by reason of the premises or any pt thereof. And all other Suites & demands which belong unto us by reason and occation afores^{d} which wee have, or hereafter might have against the said John Righton. And wee give and Grant, by these presents, that he the said John Righton stand right in Court if any against him shall speake of the p^{r}mises, or any p^{t} thereof Notwithstanding for not reciteing or misreciting the said Indictment or any other proceeding or proceedings against him the said John Righton concerning the said felony. And notwithstanding the misnameing or not rightly giving the stile or the addition to the name of the said John Righton. Provided alwaies the said John Righton good & sufficient Securitie doe find, according to the forme &^{c} of a certaine Act of Parliament of King Edward the 3rd in the tenth yeare of his

Raigne at Westminster held, for his good behaviour towards the Kings Matie his heires & successors and to his Mates Liege people, A Statute in Parliãent of King Richard after the Conquest *passed* in the 13th yeare of his said Raigne, Or any other Statute or Act of Parliãent in that behalfe *notwithstanding*. In witnesse whereof, Wee the said Governor & Company have caused or Com̄on & Legall Seale to be affixed. Given att a Generall Court holden for us the said Governor & Company the thirteenth day of August in the 13 yeare of the raigne of or Soveraigne Lord Charles the second, by the Grace of God, of England, Scotland, ffrance & Ireland King, Defender of the ffaith &c. Ano Dom: 1661.

44. We have in the Warrant following, dated Aug. 20, 1661, a rare example of the Bermudas being treated as a place of transportation in the ordinary course of law.

C. R.

Whereas upon a Certificate of Our Right Trusty Sr Orlando Bridgman Knt and Barronett, Lord Cheife Justice of our Court of Com̄on pleas Wee were graciously pleased to give order for the Reprive of David Croome and Thomas Wotton, who were lately convicted before him at the Assizes held for our Countey of Hertford with intention that they should be transported to our Island of the Barmoodas. Our will and pleasure is that you deliver the said David Croome and Thomas Wotton unto Jeremie Collins Merchant, to be accordinglie transported to the Barmoodas. He the said Jeremie Collins giveing Security unto you that they or either of them shall not returne unto England within the space of ten yeares. And for soe doeing these shall be your sufficient Warrant and discharge. Given at our Court at Whitehall the 20th day of August Ano 1661.

By his Maiesties Com̄and

Ed: Nicholls Secretarie.

Vera Copia.

45. Extract from a Letter of Company, dated London, August 30, 1661.

(1) You Captain Sayle wrote about the want of 18 servants of whom as you say you could have made £46 for their wages. In consideration whereof and of your great costs care and endeavours in the Compa. seruice as Deputy Gouernor we haue sent you £50 as a gratuity to be by Mr Trott layd out in commodities for you.

(2) As to the Petition sent by the Inhabitants of the Islands we haue taken care to answer it as far as we were able in soe

short a time Had it bin transmitted to vs by y^{e} magazeen ship we might haue had tyme of Debate *touching that* which you desire about sending to the Islands two ships euerie yeare, but y^{t} Petition coming to hand so late, the time for the departure of o^{r} magazeen ship being so sudden that p^{r}uented our consideration of a *matter* of soe great importance But we assure you we shall take it into Debate with what else is by the petitioners prayed, and we hope return you a satisfactory answer the next year.

(3) Touching the want of ministers we haue deepely resented yo^{r} condition, and haue p^{r}vayled with one M^{r} Thomas Abercrombie to go out who is represented by very good hands to be a person of very good abilityes and holy conversation euery way qualifyed for the worke of the ministry And we hope by the Blessing of God he will be painefull in the [worke of] the ministry and instrumentall for the good of the soules of the people in the Islands We therefore recomend him to you for your countenance and Incouragement in the worke of the Lord and for his and his familys subs.stance we have ordered him the Parsonage house and Land late M^{r} Robert Brownes, belonging to Smiths and Hamilton Tribes, and the rents and profitts of the two shares of Gleabe land there, and he to receaue for the time of the vacancy of the place since the decease of M^{r} Browne except such part thereof as hath been layd out vpon repayres of that parsonage house since such vacancy.

We have sent with M^{r} Abercrombie Critica sacra a Booke in nine vollumes to be added to the Lybrary, he to haue it in his possession and vse while he continues in the companies seruice till more ministers be sent so as that if any in the meane time desire, they may haue the pvsall thereof . . . .

(4) This court vpon view and pvsall of the Companies Bookes as also of the order of the 11 October 1659 made for sending backe the negroes (being 6 in number) in recouery of whom there was expended £123. 11*s*. 3*d* and appointing & pportioning £20. 12*s* respectiuely to be payd for each negro. Wee doe thinke fitt and order that the sayd M^{r} Griffin paying vnto the sayd anthony Peniston the sume of £20 at the arrivall of the magazeen ship to be this yeare sent out which it is hoped by the blessing of God wilbe at the Islands before December next, shall haue the negroe soe petitioned for deliuered to him, the said £20 inclusiuely cleering and setling off the interest of y^{e} £20. 12*s* expended by the said M^{r} Peniston, and the seruice of the negroe detained from the s^{d} M^{r} Griffen

(5) We giue you to vnderstand that we haue entertayned the Som̃er Islands Merchant John Jenkyn Com̃ander for this p^{r}sent yeare And for the good and benefitt of y^{e} Plantacon she is to goe directly and come directly from the Islands home, and

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not to stay aboue 41 dayes[1] Wherefore wee desire that you wilbe very carefull to giue her despatch accordingly and we require you to vse y^r^ vtmost endeau^r^ that the whole crop of Tobacco be laden vpon this ship. And not reserued for any other ship And that what Tobacco be sent be better viewed than the last was, the neglect thereof was great. for it had bin better the one halfe had bin burnt according to the Law then to send all soe bad and vnmerchantable as you did. We haue sent you by this ship 6 Barrells of Powder 60 Plate cartridges 2 Drums and 12 Drum heads, and a Box and cards (cords?)

(6) Vpon reading the petition of Mary Widdow of Tho^s^ Atwood Masters mate to Capt Bierley bound for Virginia and drowned with 168 more at the Bermudoes, there haueing bin 11 saued &c Shee praying some Guift out of the wrecke, it being testified in Court that the goods were as a wrecke seized by Capt^n^ Tucker the Sheriffe and diuided one Halfe to the company & Halfe to y^e^ Recouerers and y^t^ the Petit^rs^ husband being a Seaman his goods had no marke, Wee haue ord^d^ that all the goods that can be made appeare to be her husbands be granted & restored vnto her (as to the Companies part) which you the Gouern^r^ are to see pformed accordingly. Wee thanke you for your care in weighing the Ordinance. But for the wrecke the accompt you returne is inconsiderable though as we are informed the one wrecke was very great, whateu^r^ the others were. And we require y^t^ vpon the like disasters you will from time to time vpon diligent enquiry vpon Oath take a full & exact accompt as of those for the time past soe of all other that shall happen and giue such acc^o^: vnder y^r^ hand To the end the proceeds thereof may be layd out and disbursed in the Islands, as wee shall see cause, for we would haue no money belonging to the Compa. layd out there by any pson w^th^out order from the Court here first Obtayned[2]

(7) . . . . wee have receiued seuerall complaints touching the Indians for soe manie yeares in bondage that were long since brought in by Capt^n^ Preston,[3] and that it be not to the p^r^iudice of any p.ticular pson wee recommend it to the care of the Generall Assembly to consider of a way and manner for the enfranchiseing of these people And that it be the ministers care

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[1] She arrived October 21, 1661, and sailed on February 23, 1662, a stay of 124 days (see the 'Shipping Register i. p. 730), one of many proofs of the little attention paid to the Company's instructions.

[2] See vol. i. pp. 720-729.

[3] A great number of unfortunate Indian women were brought down from the West Indies by Capt Barthol. Preston and others, about January 1646. There are entries of sale of nineteen of them by him or some of his crew at prices varying from £7 to £10 each. 'Dyvers Indians and negros' were sold the previous year by the 'victorious General,' Captain William Jackson.

to catachize and instruct those people and all other the negroes, and endeavour to bring them to the knowledge of the true God and the way to Saluation by Je: Christ. And that the negroe Boyes belonging to the company be put out as Apprentices to Carpenters, Smiths, Coopers, and other handycraft trades in y^{e} Islands from 8 vntill they be 16 yeares of age And to returne to o^{r} seruice againe at the expiration of the sayd 16 yeares

(8) Also that the halfe sow of siluer menconed in y^{r} Lre to haue bin left by a stranger in the hands of Jn^{o} Vaughan be restored to the sayd Jn^{o} Vaughan in case it hath bin seized on

(9) . . . . Wee desire you would send an accompt of all men now in the Islands from 12 yeares old to 60 The number of the traynd bands also a true accompt of all Armes and Amunicon sent over for 7 yeares last past and so yearely of what shalbe sent on for the future

(10) You are carefully to see that such shipps that touch vpon the Somer Islands do pay p.portionably for P^{r}, match, shott &c accordinge to form^{r} order of 9 ffebuarie 1647 in y^{t} case prouided, a copy whereof we have herewth sent you

(11) . . . . Its the desire of y^{e} Right Hon^{ble} the Earle of Manchester o^{r} Gouern^{r} y^{t} M^{r} Goulding be vsher to M^{r} Norwood

(12) . . . . We have taken notice of a Ltre sent to o^{r} deputy by M^{r} Norwood concerning his opinion *of the benefit* which may accrue to the Islands by planting Olive trees there for the making of Oyle *and do now signify* it to be o^{r} desire that he goe on with the designe in making Oyle and that he make it generally in the Islands, and y^{e} compnie will be mindfull of him to reward him for any paynes he shall take therein

. . . . [Then follows the List of Officers for the ensuing year, 1662; Capt. William Sayle, Governor and Capt. General of the Islands, and captain of the King's Castle, and captain of the company of the Trained Band at St. George's.]

(13) Wee doe expressely require you Capt Sayle imediately vpon the arrivall of o^{r} magazine ship to issue forth Sum̄ons for the conuening and calling together a Generall Assembly according to the law in that case prouided, to meete vpon the 8th day after the shipps arriuall (if it be not the Lord's day) but if it shall happen to be the Lords day, then to meet the next day following. And they to continue their session without dissolution for the space of 30 dayes and noe longer, to commence from the first day of their meeting & conuention To the end they may consider of the necessities of the Country according to the Law in that behalfe And wee doe p.ticularly recomend it to

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them That an enquiry be made by the Sayd Assembly of the profitts of the Gleab and of the schoole land throughout the Islands for these 7 yeares past, how the same haue bin receued and by whom & to whom disposed and w^t dues & rents are yet behind and vnpaid for the same. Soe that wee may from them receiue an exact acc^t thereof Those places of late haueing been for the most part voyd And the company haueing receiued noe acc^t of the profitts

(14) . . Wee did by o^r Lres beareing date the 16th December 1659 require you the Deputy Gov^r to be assistant to M^r Rich^d Norwood in transmitting and sending vnto vs a moddell or platforme of the whole Island of Bermuda, and all the lands therevnto belonging as the same are now diuided into distinct Tribes, and subdiuided into p.ticular Shares, as by a Copy of the order herewith sent you may appeare which also hath not yet bin returned, although 2 yeares since Wee haueing taken the same into our further consideracon doe thinke fitt & order and you the Deputy Gouernor are hereby required to take speciall care yf the work be not yet perfected that it be speedily hastened, and that there be inserted the Scituation of all the severall ffor ts with the lands therevnto belonging, and as soone as it is finished that you transmitt it to vs by the first Conueniency, and that you pforme it with all the exactnes as a busines of that nature requireth. And wee cannot but take notice what little respect is giuen to o^r publicke Ltres, and although many things haue bin from time to time comanded and required, a Lyberty is assumed by you to omitt & neglect o^r comands at pleasure Wee would haue you omitt no opp.tunity to send vs aduice by any ship that shall touch at the Islands

(15) Wee being giuen to vnderstand from the relacon of Captain Tucker that came lately from the Islands that the ffences there are very much destroyed and neglected, doe order that you the Deputy Gouerno^r giue order and take care for the future that all fences may be well made and kept And that all psons doe plant therein Olive trees 12 foote distant each from other . . . . [1]

Your very louing friends

(Signed) MANCHESTER Gouern^r
JN HEYDON Dept^y.
and 10 more

London 30 Day of August 1661.

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[1] That the governing body, after fifty years' experience, should have been unconscious of the impracticability of planting trees along all fences, owing to the rockiness of much of the surface, is very surprising.

46. Funeral expenses in Bermudas, 1661.

Barbadoes, the first daie of October 1661.

M^r John Dorell

Respective friend. S^r prsenting this fitt occation, could not lett it pass wthout tendringe you my heartie respects, and withall to request a favour of you in behalfe of the bearer my nephew Thomas Love, who hath bin verie ill here this 4 or 5 Moneths, who haveing a desire to passe over to your Island in hopes that the Chang of ayre may restore him his health, and being a stranger in those y^{ts}, I made bould to give him these fewe lines unto you, humbly praying you will be pleased to afford him your best assistance in getting him lodged into som honest ffamely where hee may bee well accom̄odated with diett and all things else, in Case itt might bee in your owne house, itt would be much for his Comfort, when not, to recom̄end him unto som other of your speciall friends, and what the Charge thereof shall bee, hee hath a Negroe with him that hee intends to sell, to defray all things, which if coms short, I shall furnish it him pr next occation according to his advice, ffor I would not that he should want for any thing &^{c}.

Your very respective friend and Servant,

John Page.

To M^r John Dorell Merchant att Bermodoes.

Per my Nephew M^r Thomas Love whome God blesse.

(2) A Note of the pticular goods of M^r Thomas Love deceased taken the 8th day of November, 1661.

Impr^{is}
2 Haimaccoes,
1 Canvas bed filled with ffethers,
2 Old Cloth Cotes,
1 Old quilted Wascote,
1 Black Suite of Apparell,
2 pr of Drawers.
1 old wascote, 1 vermillion Wascote.
9 Bands, 1 Hollan Shurt,
1 Black Neck Cloth,

Impr^{is}
1 y of old Wosted Stockins,
1 Old Plush Jacket,
1 Old black Cloth Cloke,
2 y of New ffrench ffalls,
3 y of old Stockins,
1 old stuff suite with Silver buttons,
1 Black Caster,
1 Thurndell pott
1 Jugg.

To Cash 16^{ls} 17^s Sterl.

This is a true Account of the above written prticul^{rs} taken the 8th day of November 1661 by ffrancis Welsh servant to M^r

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John Dorrell and by myselfe, As likewise a true Accompt of the disbursments made out of the estate of M^{r} Thomas Love deceased, the daie and yeare above written.

HENRY TUCKER Secretie.

(3) Disbursements made the 8th of November 1661.

To John Welsh as followeth.

Imperis	l	s	d
To a Coffin	1	0	0
To a Windeing sheete	0	9	0
To sugar and drinke in the time of sicknes	0	12	0
To Bisket, Otmele & eggs	0	3	0
To 1 dozen of pipes and halfe a pinte of sack	0	1	0
Truble of the house 6 daies before his death with watching, washing of clothes, and the trubble of the house at his funerall	2	0	0
To victualls 3 daies while he was capiable of eating	0	3	0
To 6 lbs of Butter for the Cakes at his ffunerall	0	3	0
	4^{ls}	11^{s}	0^{d}
To one Haimacco sould by M^{r} Love to John Welsh	0	12	0
Rest due to ballance	3	19	0

Discharged the Daie and year above written.

To M^{r} Lanslet Ellwick as followeth.

To 15 galluns of wine at and before his ffunerall[1] at 5^{s} per gallun	3	15	0
To 14^{ls} of white Suger at 8^{d} per lb	0	9	4
To a Quart of Brandie	0	1	6
To a potle of Wine delivered aboard	0	2	6
To 4 Cans of Suger	0	5	4
	4^{ls}	13^{s}	8^{d}

To M^{r} Robert Powell as followeth.

To Phisick and attendance in his time of sicknes as pr Bill appeareth	1	16	0
To a Potle of Sack	0	4	0
	2^{ls}	0^{s}	0^{d}

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[1] The custom of drinking a particular preparation of spiced wine at funerals held its ground in Bermuda to a very recent date. It was attended by many excesses, and a stand against it began to be made about 1835. It is now extinct, but a peculiar barrel-shaped vessel used for the purpose may be sometimes seen among 'old time' possessions of families.

Discharged the daie and yeare above written.

To Mr Goodwin Chirurgian for Phisick in the voyage	1	10	0
To the Grave digger	0	5	0
To Mr Henry Tucker for Drawing, Recording and Copying the premises	0	11	0
	2	6	0

47. At a Council Table, October 17, 1661.

(1) Unanimously ordered that the daie of Generall Division of Tobacco shall be uppon the 11 t daie of November next ensuing And the daie of Assizes upon the 2d Decembr following.

(3) Unanimously ordered that the Councellors or Constables of the respective Tribes shall warne all such persons as have not yet paid their Castle corne, to carie downe the same by the 24th day of this instant month, and upon his or their refusall, to be sent downe to Towne, there to lie in prison untill they shall conforme, by a Warrant of contempt.

(3) Unam̄ously ordered that the netts comonlie called ffooles and all other unlawful netts shall be forfeited, according to the act of Assemblie.

(4) Unam̄ously ordered that the Governr shall request Mr Nathaniell White to preach at the next General Assizes.

(5) Upon the humble request of Mr William Raighton made unto the Governr & Councell that hee may be allowed to put Rabits upon the Island in the little Sound comonlie called High Island. His said request is unam̄ouslie granted him with this proviso that hee doe not make anie waste of Timber thereuppon standing or fallen, nor suffer anie other.

Mr Richard Stafford is likewise allowed the like privilidg upon the Islands in Bailies Baie the which Island lieth neerest unto his lands end.

48. To the Inhabitants of the severall Tribes and the publicke Lands. By the Governor. A Proclamation 18 October 1661.

Whereas myself and Councell have bin informed, that there hath bin a dangerous plott or combination by the Irish and Negroes, That if the said Irish cannot have their ffreedom their intentions are, as hath bin made to appear by severall Attestations of some of their owne nation, to cutt the throats of our Englishmen: ffor the preventing which soe great and eminent a danger myselfe and Councell haveing debated the businesse,

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and as before finding it of dangerous consequence for our Inhabitants, and our great chardge and care of and for our said Inhabitants, not being willing to have them destroyed by these bloody people who did use most horrible cruelties to our English Protestants in Ireland, which like hath not bin heard of in any nation. Wee say: for prevention of such miseries which may ensue, if not tymelie prevented, also in discharge of our dutie according to the Comaund of God & man, have ordered that there bee a strict watch kept throughout the Islands in everie severall Tribe, for everie Tribe two men everie night untill the Generall Assizes be ended, when wee shall proceed as God shall please to direct us: in the mene tyme wee doe in his Maiestys name require and command all our said Inhabitants, that they will conform themselves to these our lawful Commands, and redilie obey their severall Councellors and Comaunders as they and everie of them will answer the contrarie at their perill's. And wee have further ordered that the officers doe appoynt places in everie severall Tribe for our Inhabitants to repair unto for their better securitie: wee doe require the said Inhabitants to demene themselves accordingly. Wee doe also comaund all militarie officers forthwith to disarme all such Irishmen as have bin listed in the Trained Bands, or have anie armes of their owne. As likewise to find out what armes anie Negroes have in their Custodie, and to disarm them as aforesayd. All officers into said Islands are required whereever they see any number of either Irish or Negroes, if but to the number of two or three, met together at any tyme, to have them whipped from Constable to Constable whilst they run home to their Masters houses, and for their default a second time, to be sent downe to towne as Contemners of authoritie. Given under my hand the 18th day of October An° : Dom : 1661

William Sayle.

49. At a Council Table, October 30, 1661.

Uppon a Complaint made by the Counsellors against Constables confidentlie warning of people, living with Counsellors, to serve uppon inferior imployments. It is unam̄ouslie ordered that Councellors Servants or others living with them shall not be liable for the future to be warned, as others, to serve as aforesaid by any inferior officer either Militarie or Civill.

50. Presentments at the Assizes, October 30, 1661.

(1) Thomas Johnson and Tomasin Morris presented for suspition of Incontinency.

Ordered by Vote of the Court, That both partyes bring each of them two compurgators to sweare for their chastity; otherwise voted to be whipped, ffarther voted that those who have (contrary to orders for restraint) kept them together, shall pay to the publique 100^{ls} of Tobacco.

(2) M^r Henrie Smith, his wife and daughter presented for breach of the Saboath

Voted that both they and all other entituled Quakers, may have their libertyes for their meeting, provided they walk in conformity to the Civill Government

(3) A negroe woman of Miss^{rs} Penistons in Smiths Tribe presented for adulterie

Voted to have 39 stripes

(4) Ordered that John Browne of Tuckers Towne doe stand in the pilorie three houres, for that he alleaged before the Governor, that he could, by three witnesses prove Lieft John Hubbard a periured person, and could not produce one to make good his desperat charge aforesaid

(5) Margeret an Irish woman of Devonshire Tribe presented for adultery.

Voted to be stigmatized, and the Indian man guiltie with her to have 39 stripes. And if hereafter taken in Company with her, by the generall Officers, to be whipt from one tribe to another untill brought home.

(6) A Negroe woman of Richard Apowens presented for ffornication. Voted to be punished with 39 stripes.

(7) Susan the wife of John Baylie, of Devonshire Tribe presented for a common lyar.

Voted that the sayd Susan be called before the Vesterie of that Tribe and Admonisht for her ffault, and be informed, if taken agayne the second time on default, to undergoe double punishment.

(8) Thomas Griffin Jun^r of Smiths Tribe, And the wife of Percivall Goulding of Devonshire Tribe presented for suspition of Adulterie.

Voted that they bring in their Compurgators by Munday next.

51. The Gen^{r}all Levie made up at a Counsell Table held at S^t Georges the 30th day of Octob^r An^o Dom: 1661.

The amount is 4,558 lbs. of tobacco, from which deducting fines and rents, 1,082 lbs. leaves 3,476 lbs. to be raised by an assessment at 10 lbs. per share. The items are much the same as in 1660. They include 50 lbs. to the Marshal for dieting the negro executed the last assizes.

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52. At a Counsell Table 14 November 1661.

Unam̃ouslie ordered. That M^r^ Nathaniell White Minister according to his owne free profer, doe preach at Pembrooke Tribe everie third Saboath daie, with this proviso. That the Inhabitants of the said Tribe doe addresse themselves unto him, accordingly. Otherwise the said M^r^ White is to be left unto himselfe to preach at his owne Tribes Churches, or at anie other Tribe that is not supplied with a Minister of their owne.

M^r^ Jonathan Burr is likewise ordered to preach at Devonshire Tribe Church, if the Inhabitants thereof shall applie themselves unto him accordinglie ; Otherwise hee is to preach at Pagets and Warwick Tribes Churches as formerlie he hath done.

53. At an Assizes holden 3-4-5 & 6th dayes of December 1661.

(1) Captain Richard Jenyns appearing in court and alleging to the Gouernor that in discharge of his alegiance and loyaltie towards his Maiestie he dearst not but exhibit an accusation against M^r^ William Raighton for dangerous words by the said Raighton vented aboard the good ship 'Loyaltie' in a voyage for England about foure yeares since, and did for proofe thereof produce Thomas Griffin Sen^r^ and M^r^ John Vaughan to make good vppon their Oathes his aforesaid Accusation

The oath of M^r^ Thomas Griffin Senior

Who sayth that going home in Capt. Limbreys ship and lying in the cabin appointed for mee and Capt Lea, Raighton and Martin a Chirugeon, their discourse was in effect that the kings children that was beheaded were Bastards, and the effect of their speeche was one with the other that the Queene was unfaithful, further more this deponent saith, he did reprooue them and said they were a couple of contemptible rogues,[1] and withal told them it was pitty the Protector did not hang them Raighton replyed againe, this is a Caualiere let vs goe plunder him, and further this deponent sayth not.

Two attestations follow. Wherevpon the said M^r^ William Reighton flying vnto his Maiesties gratious Act of Indempnitie for his Asylum, and craueing the benefit and extent thereof The court therefore hauing carefullie examined the said Act, And it being manifest thereby that the said Raighton is cleered, the court hath therevpon unanimouslie voted him to have the full product of his Maiestys Act aforesaid. And the rather because Thomas Griffin aforesayd did not at the last yeares assizes orderlie complaine according to o^{r} Hono^{ble} Gouernors charge then (according to the dutie of his place) faithfullie to that purpose deliuered As likewise because the said Raighton hath redelie taken the oath of Allegeance and Supremacie and hath faithfullie officiated the constables place in Hamilton Tribe, this present yeare.

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[1] 'The precise language is not producible:—Se cuiquam stuprandam subjecit . . . nebulones stercorati.'

54. At a Counsell Table 26 December 1661.

Unam̄ously ordered that such good women of these Islands as doe professe themselves to be Midwives, shall for the future be sworne by a formall Oath, to discharge that good office faithfullie. Chieflie for the discoverie of the reall ffathers of such children as have bin begotten in Bastardisme

The oath of a midwife in the Sum̄er Islands.

(1) You shall sweare to use your best skill and diligence in Delivering such women of their children as shall crave your assistance at the time of the Birth of their Childe or Children. You shall sweare according to the Dutie of your place to use your utmost endeavour in forseing such person or psons as are suspected to bee begotten with Childe by any unlawfull ffather, before your deliverie thereof, at the birth of Children soe begotten, to declare the name of the reall father thereof. You shall Sweare to performe the Dutie of a Midwife in all things belonging to the said place faithfullie according to your best skill & ability. Soe help you God.

If anie shall presume for the future to deliver anie woman in these Islands, that have not taken the aforesaid oath They are to undergoe such Censure as the Governour and Councell shall think fit to inflict uppon them.

(2) The wife of Persivall Goulding, and Thomas Griffin Jun^{r} presented at the last Assizes for suspition of incontinensie, are at this Counsell Table unam̄ouslie censured to be by M^{r} ffrancis Watlington, Counsell^{r} of Devonshire Tribe, warned not to meet together for the time to come.

(3) Whereas M^{rs} Ann Harte hath bin had in examination, and required to declare upon oath, what person hath bin and is the real father of the childe shee hath bin lately delivered off. And the said Anne hath sum few daies since profered before the Governor, to take her oath That Ensigne Christo^{r} Burrowes was the ffather thereof. But hath uppon oath this present meeting affirmed that Hugh Wentworth (hee being personallie present) is the true ffather thereof, although hee did produce a note under her hand to the Contrarie. Therefore in regard shee hath nominated more than one person to bee the ffather of her childe, the

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said Anne is allowed to take her course in law for recoverie of maintenance for the same. And whereas it was unam̄ouslie ordered at the last Assizes that her Censure (after her confession who was the ffather of the aforesaid childe) should be referred to the Govern^r himselfe. The Govern^r hath thereupon Censured her to departe these Islands and goe with M^r Stowe for Barbadoes, according to her preintention, by her causing her name to be sett upp in the Secretaries Office for the Porte aforesayd. And not to return againe for these Islands.

55. Forfeiture of Lands of Regicides.

To the Governor of Bermudas 17 Feb. 166$\frac{1}{2}$.

CHARLES R

Right Trusty and R^t welbeloved Cousin and Councilor Wee greet you well.

Wee graciously inclining, vpon humble suit made vnto vs, to grant vnto our Trusty and welbeloved Henry Killigrew and Robert Dongan Esquires such part of the Estates of Owen Rowe Cornelius Holland, and Sir John Danvers as vpon the conviction and attainder of the horrid murther of our Dear Father of ever glorious memory, are become forfeit and confiscat vnto vs, and lye in those our Islands of the Bermudas and their members vnder yo^r Gevernment. Our Will and Pleasure is that immediately vpon receipt thereof, you cause the council here to bee convened, and signify our pleasure to them That forthwith, vpon perusal and examination of their Books of Record Entrys and Register, or what other information they can procure they certify to vs a full and exact account and survey of all and every the Lands, Houses, Plantations and rights whereof the said Owen Rowe, Cornelius Holland, and Sir John Danvers or any of them were possessed and seized or which of right did belong vnto them or any of them in the year 1648 or at any time since . . . .

By his Maj^tys Command EDWARD NICHOLAS

Sir John Heydon furnished the required return, April 9, 1663, specifying five shares belonging, in 1648, to Colonel Owen Rowe, four shares to Cornelius Holland, and six shares to Sir John Danvers. The lands were forfeited and granted by the Crown to Henry Killigrew and Robert Dongan, by whom they were sold to Sir George Waterman; the deeds being lost or burnt in the Fire of London, and the lands meanwhile regranted to

Colonel T. Howard, Killigrew united with Waterman's heir in 1683 in a petition to the Crown for redress. (Colonial Papers, vol. xxxiii.)

56. Apprenticeship of Free Negro Children
The 19th day of Aprill 1662.

It was agreed upon betweene Sibbila Righton the wife & lawful Attorney of Will^m^ Righton of Hamilton Tribe in the Sum̄er Islands, now by Gods grace bound for England in the good ship called the Sum̄er Islands Merchant. To and with Hanah Bestaina a free Negroe woman, in the behalfe of the said William Righton, who doth hereby unto the said William & Sibilla his wife, their heires Execut^rs^, Administ^rs^ & Assignes ffreely resigne and make over by the Right of a Mother and as farre forth as Law & equity in such cases will allow of, two children begotten of her body, the eldest named Patience, for the full Tearme of Twenty One yeares from the day of the date hereof, the other named Mary for the full Tearme of Thirty years (likewise) from the date hereof. Which two sayd Children, The said Sibilla Righton in the behalfe of her husband, herselfe, and as aforesaid, Doth hereby Condesend, Consent and agree to take as Apprentizes. And dureing all the sayd Terme, will carefully Educate or cause to be educated and brought up, and will fynd unto them and either of them sufficient Meat, drink and apparell, and other necessaries befitting their Condition. And doth further Covenant, To and with the said Hannah Bestaina, to provide for her in her present weak Condition, And when shee shall bee recovered, will give her liberty to worke abroad for her best advantage, for this present yeare. And the said Hannah doth Covenant att the conclusion thereof, will (if shee shall till then survive) retorne unto the sayd Will^m^ Righton or Sibilla his wife, and will from thence forth during the Terme of life, Dwell, remaine, & faithfully serve them in such imployments as is usuall here to be done, and shee is, or shall bee able to pforme upon Condition To bee by them provided for at all tymes, in sicknes & health with meate, drink, lodging, apparell, in such deacent maner as shall beefitt her Condition. Unto all which the said Sibilla in the behalfe of her husband and herselfe, and as aforesaid, doth hereby promise & engage to performe truly, or cause to bee done & performed And unto all & every pticular both here within specified Both parties beeing Agreed, They have hereunto enterchanged putt to their hands & seales the yeare & day first above written.

Signed SIBILLA RIGHTON
BESTAINA.

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Memorand^m^. It was agreed upon before the ensealing hereof, that Will: Righton, his wife, their heires, Exec:, Adm^rs^ or Assignes shall at the expiration of the tearme within specified, Give unto their Apprentices Patience and Mary, dubble apparell, according to the Custome of the Country.

57. Deed of Sale of a Negro, July 8, 1662.

Capt. Robert Cary, Commander of the 'Franceena,' of Barbadoes, sells one negro man called Jack, aged 24, for 26*l.*, to Henry Tucker, for a term of 99 years, and gives a bond of 40*l.* to make good his right against all claimants.

58. Extract from a Letter dated London, May 15, 1662.

Capt Sayle,

Your Letters sent by John Jenkins, who by the blessing of God arrived with the Magazine ship at the Isle of Wight 23^rd^ March last, and since safe at London, we have received, and find the quantity of Tobacco returned more great than good: and though we have often intimated unto you and the Islanders that they should have an especial care in making the same good, yet we still find it to the contrary. Therefore to prevent the like for the future, we have sent over unto you a Law by us made, and have caused it to be printed;[1] and our express command unto you is, That immediately upon receipt thereof, you take care that it be published with all solemnity usual, throughout the Islands, and the Copies equally dispersed in all the Tribes. And for the more effectual observance of the Law, that you and the Council do send forth orders requiring all makers of Tobacco to have an especial care that they do cull their tobacco so that no indifferent leaves be made up with the good, and that it be handled neatly, and they that do not soe, we are confident will find but few Customers to buy, if any at all. And though in time past such tobacco hath had customers to the great loss of the buyer, yet since woful experience hath taught the merchant that there will be no vent for such, no not in any of his Majesty's Dominions nor any where else; Now if they will not take warning but will persist to make it as they have done in point of indifference, and so come to lose their good Tobacco, being mingled with their bad, and all spoiled when so put together, the fault is their own, and they cannot but say they have had warning, as heretofore so especially by this ship Prosperous, Thomas Leach

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[1] This is the first mention of the promulgation of laws in print. There was no printing press in Bermuda for more than a century after.

Master, who is set out for this end chiefly, to give you and the Islanders timely advice to prevent if possible the loss that may otherwise accrue both to merchant and planter.

Signed by J. HEYDEN and others.

59. To the Inhabitants in Genrall in these Islands By the Governor. A Proclamation 16 May 1662.

(1) Whereas I have received from the Honoble Company a strict Comand these *seuerall* last yeares, to destroy all the waste and bad Tobacco that hath bin made in these Islands. And in favour to the Inhabitants have not destroyed it; their Honrs seemes by their last Genrall Lettr to be much offended with us in that wee have not destroyed the said Tobacco, and they have resolved to have all such Tobacco, as is not good, to be sold, to be destroyed. And to prevent the damage that may thereby befall the Inhabitants (if not timely prevented) Myselfe and Councell have thought it expedient, to give vnto you notice thereof, that you may prevent that loss and damage that may cum to you, if not timely prevented. Therefore wee doe require every one to take notice hereof, and to conforme themselves accordingly, and not by there coveteousnes destroy youre yeares workes; Wee tending youre welfare wee would (if posibly we can) prevent those damages that may be priudiciall to you, ffor wee doe well knowe, that if you do suffer, wee must suffer with you, if not in the loss of our goods. Wee purpose to take noe Tobacco but what is good, yet it will bee a greife unto us to see you to be loosers, ffor it is our desire to the Lord to continue prosperity unto you.

(2) Sum of our Inhabits have sturred up the Company in persuading That the Olive Treese will proove a great benefitt, by making Oyle of the Olive. The Honble Company have therefore given strict Comands to us, to Comand and Order the Inhabitants to plant plenty of Olive Treese upon every share in these Islands. But wee haveing had experience thereof these 40 yeares, twenty yeares whereof they have boorne Olives, but have not produced any profitt. Wee together with the Assembly have returned our answer to the Hoble Company accordingly. But yet according to the proiectors desire, wee have agreed that there shall bee Two Olive Treese planted uppon each share. Therefore wee doe require all the Inhabts to Conforme themselves accordingly, and with all expedition plant Two Olive Treese uppon each share thor'out the whole Islands.

(3) And whereas the Honble Company have bin informed, that most of these trees have bin cut downe and destroyed; It hath pleased their Honrs to Comand us, that every Inhabt

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thorout the whole Islands should plant Cedars in ffences where there is none, soe by that menes the great windes may not destroy our fruites and cropps as formerly they have done. Wee hope you will bee soe diligent, (considering it to bee for the benefitt of yourselves and posterity) that wee need not use any more arguments to perswade you to the performance thereof.

(4) Wee likewise require all our Inhabitants thorout these Islands to be carefull of their boates, and not leave their Sailes, Rudders, & Owers, this Sumer time, in them, Considering the greate wrong and damage many of our Inhabitants have suffered by mens carelessness therein. Therefore these are strictly to require and Com̄and all Owners & Mast^{rs} of Boates to take away their rudders, sailes & owers every nighte, so by that meanes their *Shallups* & Boates may be secured, and mens servants may bee prevented from runing away from their severall Masters. But if this my timely warning may not prswade you to secure your boates, but you will leave them fitted to entise mens servants to run away, the Law will compell you to make good the damages your neighbors shall sustayne by your carelesnes herein. Thus desireing & requiring all and every person or psons in the land to yeald obedience to these o^{r} lawfull Com̄ands, as they will answer the contrary at their uttermost perills.

Given under my hand the 16th day of May 1662.

Signed
William Sayle.

60. Extracts from Minute of Council, March 6, 166$\frac{1}{2}$.

(1) . . . Josephus the Chirurgian haveing bin Censured at a former Counsell Table to pay £10 sterl. at the next Generall Division, the said ffine, uppon the said Josephus, his humble suite, is unam̄ously reduced to £3 sterl, to be paid as aforesayd. The which Josephus haveing acknowledged that he hath alreadie received £3 sterl of Daniell Moraie for curing of the said Moraie of late wounds, the said Josephus is referred to the next Assizes to recover by course of Lawe a more recompensful satisfaction for his time, cure, and paines spent about Moraie aforesayd.

(2) Uppon the humble suite of an Irishwoman, apprentice to Thomas Moore of Warwick Tribe, to bee forthwith freed from her aforesaid masters service, the said Moore hath freely consented thereunto uppon condition that the Governor will find the said Moore an English boy untill July next come 12 months, after the rate of 30^{s} per yeare, proportionably to be paid, for the sayd boyes service, to the Govern^{r} by the aforesayd Irishwomans brother, by name Teage.

(3) ffor the effectual prevention of quarrelings & debates

betwixt Nicholas Spenser and Susan his wife, the said Susan hath bin at this Counsell Table admonished, not to keep the Company of Richard Jefferies of Sandis Tribe, for the future.

61. At a Preparitive Court for the Somers Islands Company, held at Watling Street London on ffriday 13th June 1662.

The humble petition of Mr John Vaughan, in severall particulars relating the manner of the late proceedings had against him in the Somer Islands upon the Indictmt and otherwise, and praying a consideration thereof by the Honoble Company, being read. And the Court taking notice and calling to mind That one maine end of the late Act of pardon granted to the petitioner, was to put an end to all future troubles & differences that might arise between the petitioner & any of the persons that now are or of late were interested in the Government of the said Islands, or manadged the Tryall against the petitioner there, whome yet the petitioner in the setting forth his case, seemeth to charge in severall respects. And upon the Declaration of the petitr, that hee doth not charge any person further then as to the proceedings upon the Indictt, and that he desired no other restitution of his estate (according to the Companies Order) then what he can proove to be his owne.

After full debate & consideration had of the whole matter. It is thought fitt and Ordered. That what estate soever either reall or personall, that the petitioner prove to be his owne, that upon the Indictment was seized, or taken away from him, or any other estate of his destroyed, or otherwise adiudged from him, upon any pretended tryall wherein he hath bin denyed his Appeale, That the same shall be restored unto him by the Governour and Councell in the said Islands. And for that purpose that a Comission issue forth to certaine persons therein to be named to make enquirey in that behalfe. To the end the Petitr may be possessed of his just Righte, and enjoy his estate accordingly.[1]

Thomas Marten Secretary
to the said Company &c

62. At a Councell Table 10 July 1662.

(1) The Governor haveing taken into consideration the long absence of the William ffrigott under the Comand of Mr Nathaniell Sayle in her expedition to Elutheria from hence in November last past, and the earnest desire of the Inhabitants in Genrall of heering what may be the cause of her long absence

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[1] These were criminal proceedings. See *ante*, pp. 140–146.

(if the said vessell and psons in her be not in a lost condition). And he having thereuppon ppounded to fitt upp his *Shallup* to send her, under the Com̄and of Nathen Neuman, to Elutheria and the adiacent Islands to look out for the aforesaid vessell and people thereunto belonging. It is unam̄ously concluded, that hee doe fitt upp and send the said Shallup with all expedition uppon discoverie according to the prmises, for a full satisfaction by her speedy returne.

(2) Capt Edward Stainan haveing mooved to be allowed to erect a Vessell of about 25 Tunns to Sayle betwixt this Island and such other parts as he shall think fitt, for the publique good of these Islands (as hee alleageth). His said motion, together with the knowne generall decay of Timber having bin taken into consideration, as likewise the abuse that the Inhabitants have sustained by Vessells built uppon the like spetious pretences, and not continued for the uses afore alleaged. It is thereuppon unam̄ously Ordered (M^{r} John Devitt only excepted) that the said Capt Stainan shall not proceede according to the prmises untill the Hon^{ble} Company shall order his further lysence for his proceede in building as aforesaid.

(3) Ensign Christoph^{r} Burrowes & John Bond haveing of late bin aboard a Dutch Shipp, and haveing omitted to send the Governor word from aboard what shee was, and whether bound, nor yet having acquainted the Counsellor of Sandis Tribe, at there return on shore therewith, contrary to a late proclamation. It is thereuppon unaniōusly ordered, that the said persons shall suffer imprisonment during the Governours pleasure; the which, after their enduring one nights & one daies imprison̄ent, hath bin pleased to release them.

63. By the Governor. A Proclamation 22 August 1662.

Whereas it hath pleased our gratious God for our manie sinns and provocations to send a great and terrible drouth upon the land, that all things were even withered and dried upp, soe that the dumb creatures began to languish. And I, seeing the hand of the Lord in soe great a measure uppon us, it came into the mind a purpose to have appointed a ffast to have humbled our soules. But it pleased o^{r} gratious God to send us a gratious raine in a plentifull manner thorow his tender mercies and compassions. Therefore myselfe and Councill have sett a day aparte for a day of reioysing and thanksgiving unto the Lord for his great mercy unto us, the which day appointed, is, on Thursday cum senite next. Therefore these are to will and require all the Inhabitants of these Islands to repaire to their severall Churches, or where our reverend Ministers doe preach, and then and there attend in a reverent manner all the time of our Godly Ministers performing of these services that it shall please the Lord to inable them to prforme. And all those that are not able to repaire unto the places where our worthy Minists doe exercise; wee doe require them to repaire unto their owne Tribes Churches, and there to attend such services as the Readers shall prforme. Thus desireing and requireing all the Inhabitants of these Islands to yeald redie obedience to these our lawfull Co̅mands, as they will answer the contrarie at their perills.

Given under my hand the 22 d day of August 1662.

64. At a Councell Table 5 September 1662.

Whereas Richard Apowen Junr, soone after his late arrivall out of England, did, by the waie of discorse possesse Capt William Sayle Governour, that George Morris the Husband of Thomassine, did tell him the said Apowen at Gravesend, that he did fully purpose to cum over to his aforesaid wife soe soon as he could gett sufficient menes to maintaine him & his aforesaid wife. And thereuppon, the said Thomassine and Thomas Johnson were by an order made at a former Counsell Table, fforbidden to consort together as Husband and Wife, though the said parties Banes of Matrimony have bin published in Hamilton Tribes Church three times. But by reason the aforesaid George Morris hath bin absent from his aforesaid wife about ffive yeares together, And likewise by reason the said Apowen hath not, uppon his oath taken at this prsent Counsell, maintained his aforesaid expressions It is unanio̅usly concluded, that the said Thomas Johnson and Thomasine Morris may be suffered to take their first opportunity of being married together.

65. Att a Quarter Court derivative for ye Sum̅er Islands Company. Held att ye accustomed place in Watling Street London on Thursday the 4th of September 1662.

The Recommendacon from ye Grand Co̅mitte to this Company, of Mr Sampson Bond a Godly orthodox & painefull Divine, as willing to bee enterteyned by this Company & sent on ministry to ye Sumer Islands being in debate, As also some words of Mr Wm Cooper spoken at a late Cot, touching and exhibited against ye Mr Bond before ye late Comission for approbacon of Ministers some years agoe viz: That the said Mr Bond was a Letigious pson among his Neighbours. Itt was thought fitt that ye said Mr Bond attending at ye doore should bee called in & admitted to make his defence to what was obiected Against him. Whereuppon ye said M Bond did owne

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& acknowledge that such Articles were exhibited against him, Butt att large declared & sett forth, that hee haveing had approbacon from ye sd Comissionrs, who of Right ought to have given him his Instrum of Admission into a living in ye Country in wch he was in possession, he was denyed ye same, & putt to great charge & trouble and after severall heareings by Counsell & Reference hee was advised and did sue for, and in three years suite obteyned a Verdict and Judgmt to have his Instrument of Admission, That afterwards a Charge of Articles were exhibited against him.

1. That hee had bin Active for ye King against ye Parliamt Ano 1642.

2. That hee was Litigious among his Neybours. And further saith, That till hee had his Instrument of Admission although hee offitiated all the time of this trouble being about three years aforesaid, the generallity of ye people refused to pay his Tithes for ye recovery whereof hee prferred a Bill in ye Exchequer (Sr Robert Atkins being his Councell) and thereupon had his Tithes paid. The Court taking into Consideracon ye Answer and defence of ye said Mr Bond & well weighing the ground of the charge and Articles Exhibited against him was for his sueing for & mainteyning his Right did upon the Question Resolve & Declare That they were well satisfied therewith soe as to cleere him of what was obiected against him.

The sd Mr Bond Exhibited (on his behalfe) a Certificate under ye hands of Mr Saml Clarke, Mr David Bull and Mr Elias Pledger ministers, That hee is a man of approved Abilities one who hath binn ffaithfull and painefull in ye worke of ye Ministry and of an unblamable and holy Conversacon, And further gave them to understand, That hee was ordeyned by Bishopp Hall Anno 1641, as by his Licence will show, wch hee was ready to produce. And further was approved of by ye Assembly of Divines as he hath to *shewe in* that behalfe; upon all wch ye Court made Choyce of and enterteyned the said Mr Bond to be sent over Minister ffor Devon and Pembrooke Tribes & to have ye Glebe & house att Spanish Point and 40 per Annum Sallary paid him by ye Company And ye sd Mr Bond being required to give the Company a security (as is usuall) before his goinge over, hee undertooke and promised to performe the same when & where y Company should Com̄and him.

Vera Copia Exd ye 24th of december
1673 pr me Wm Minors Secretary to
ye sd Company.

The Rev. Sampson Bond amply justified the character here given him of being a litigious person; and throughout a ministry of nearly thirty years in Bermuda was a source of perpetual discord. Some notice of him has been given in Vol. I. page 692. He was invited, September 26, 1682, to the office of assistant preacher to the first church in Boston, but fell into disgrace for having taken the liberty to preach a sermon not composed by himself, and the invitation was never carried into effect (Trans. Mass. Hist. Soc. viii. p. 96). He afterwards returned to Bermuda.

66. Commission of Rev. Samuel Smith.

To all to whome these p^{r}sents shall come, greeting. Know yee, That wee the Governo^{r} and Companie of London for Plantacon of the Somer Islands taking notice, and having good assurance of the pious and godlie life of Samuell Smith of Emanuell Colledge, in the Universitie of Cambridge, And also of his abilitie and sufficiencie for preaching the Gospell and administring the Sacraments, Have with the full assent and good liking of A Quarter Court Derivative held for the said Compie the 28th of August last past, Nominated, chosen and appointed, and by these presents do constitute & authorize the said Samuell Smith to be a Minister in the said Islands. And further to have & enioy the place, office & calling of a Minister there for & during the space of three yeares from the Date hereof. Giving and Granting by these presents unto the said Samuell Smith full power and authoritie to exercise & enjoy his said Calling of the Ministry in the said Islands, and to have & enioy the Gleabes & Gleabe lands at S^{t} Georges, lying & being within theise Islands, with all and singular houses, profits & Com̄odities thereunto belonging or app^{er}tayning, which have bin appropriate and set out to the minister of the said place there for the time being, from and by us the s Governo^{r} and Companie, or by our order, Consent or direction. Strictlie charging & requireing him the said Samuel Smith to do, pforme and execute all such Duties and Exercises as shall bee fitting & becoming him the s^{d} Samuel Smith by vertue of his place and office, and as he is bound unto according to such orders & directions as have been, or shall be from tyme to tyme given unto him. Willing & Com̄anding every person or psons there inhabiting, or which hereafter shall inhabite, to give unto the said Samuel Smith all due respect and observance in the execution of the office of the Ministrie, or in any other thing which shall or ought to belong there unto. In witness whereof wee the sayd Governo^{r} and Companie have caused our Com̄on & Legall Seale to be hereunto affixed. Given att a Quarter Court Derivative the 9th day of October, in the 14th yeare of the Raigne of our Soveraigne Lord Charles the Second, by the Grace of God Kinge &c Ano Dom: 1662.

This form continued in use to the end of the Company's charter. The latest commission, that of Rev. S. Bond, on his return to Bermuda in 1683, is in the same terms, but contains a clause exempting him from preaching out of Pembroke and Devon Tribes unless with his own consent. (Colonial Papers, vol. xxxiii.)

67. Extracts from a General Letter addressed to the Governor-elect, Captain Fflorentia Seymer, dated October 10, 1662. Captain Seymer did not assume the office until the arrival of the ship bearing his commission, about January 12, 1663.

Captain fflorentia Seymer

(1) The generall Lets from the Islands of the 20th Decemb. last by the returne of or magazeene ship, which through the blessing of God, yet not without much danger in the voyage, safely arriued in the Isle of Wight 23 March as at London in Aprill following, wee haue receiued, and according to the intimacon in or last Lets that wee would returne you an answer by our next to the peticons of the countrey, wee shall begin with that as deserueing for its time of presentation priority in these determinations

(2) As to the first pt thereof for supply of ministers Wee have sent you two ministers by this shipp Mr Sampson Bond and Mr Samuell Smith the successe of whose labors in the worke of the ministry wee comend to *the protection* of the great God. And their persons for courteous entertaynment, countenance and encouragement wee comend vnto you, as the eminencie of their employmt shall deservedly call for at your hands

(3) As to the 2nd pte of the Peticon for a liberty to the inhabitants to transport their *Tobacco* in a shipp of their owne, and to send the same to any Porte, although it bee a request often made and as often answered, and there being the same grounds of general preiudice to cause us to adhere to our former resolutions, yet now wee think good, ouer and aboue to send vnto you our p.ticular reasons against it, which are

(*a*) That if the liberty petitioned for should be granted the customes and Duties appertayning vnto vs cannot be secured

(*b*) That the Inhabitants will make and sell any Tobacco, by meanes whereof the market will be clogged and the comodity vndervalued

(*c*) The Inhabitants haueing the same liberty that the Company haue to make the best of their owne goods haue noe iust cause to complaine But that you may further know what tender care wee haue of the welfare of the Islands, and to p.uide against any approaching general damadge vppon the consideracon that the Tobacco of this yeares growth, if brought to London will come to a bad market, and a sad accompt, by reason of the great quantities not yet taken off our hands, wee haue giuen liberty and comission to this shipp. Somer Islands merchant, John Jenkins master, to carie all the cropp to Amsterdam in Holland. He observing our orders in taking his voyage hitherward by putting first into English Harbor, wee no way intending thereby any alteration of our iudgement touching the liberty petitioned for, but rather choosing to avoid the prsent impending storme of gen^r^all losse, otherwise likely to fall irresistably both on you and on ourselues

(4) As it hath bin our care and not without much charge in sending ouer vnto you M^r^ Abercromby & the two last menconed ministers (whom we hope the Lord will be pleased to make a very great blessing to the Islands) soe wee haue taken some paines to sett and pporcon the Gleabe, and forasmuch as wee find that Warwick & Pagets Tribes haue no other Gleabe but Acklin & Elizabeth Islands, which are not convenient to the minister that shalbe designed for those Tribes to liue vpon, and that there is noe other publick land in either of those Tribes but the land held of the Company by Thomas Brereton. Wee pray you the Gou. to send for and treat with Brereton, and endeavour to psuade him (if it may be) to relinquish his interest in two of the three shares by him held as aforesaid, which if he shall be drawen into you are in lieu thereof to Lease out to him soe much of the Public Land in the little Islands to the sayd Tribes appertayning, as you the Gouernor & Councell shall thinke fitt And for those 2-shares wee haue a desire to appropriate them to the sd Tribes in quality of a Gleab for euer.

(5) Wee haue satisfyed & discharged all Sallary due to M^{r} White & M^{r} Abercrombie & haue ordered 40$^{£}$ to be payd to M^{r} Jonathan Burr in full of all Sallary ending the 10th of Aprill last and haue discharged him from the service of the Company in relation to the ministry, of which you are to giue him timely notice . . . .

(6) The next thing of most public concern we take to be the settling of the Schools. And that we may have a due knowledge of the Shares and the Profits with other things thereunto belonging, we do require you the Governor that upon the arrival

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of our Magazine ship, you issue forth summons for the convening a general Assembly, so as they may conveniently meet within ten days after the Ships arrival, the time of whose Sessions we have appointed to be and not to exceed six days, to which Assembly we more particularly commend the preparatory part of the settling of the Schools, which is to cause a survey to be made of all the lands or Rents or other advantages, either given or belonging in any manner of wise to the free School, in whose hands they now are, and how and by what means the occupiers came into them, what are the present profits and rents or other commodities thereof, also to consider of three convenient places besides the place where the Free school is erected, for the placing and settling of School Masters there, moreover to contrive and propose a way for the making of good Tobacco, so that the commodity (if possible) may be brought into request again, these two particulars being the main cause wherefore we have appointed the calling of a general Assembly; an Account of these chiefly with all other things by them consulted of and handled, we shall expect by the return of our Magazine shipp.

(7) We haue taken into our consideration the Requests of the Generall Assembly touching seuʳall matters pʳsented vnto vs by the way of Grievance, and wee have ordered and do returne oʳ answere thereto as followeth

To the 1st Request That a liberty be graunted for the companies shipp or shipps to put into such Ports or places of his Maiesties dominions as may be advantageous for the sale of such Tobaccoes as are not vendible at the Porte of London, or to giue liberty to the Islanders to dispose of such Tobaccoes by a ship of their owne Wee haue giuen answere thereto alreadie, in laying downe our reason against a liberty to the Inhabitants to dispose of their meane Tobaccoes &c

To the 2nd Request complayning that the companies seale hath not bin sufficient security for Lands that haue bin sould and purchased, Wee doe declare that the seale doth not confirme or make good any wrong Title But onely giues and grants many priuiledges as are at large by the p.ticular grants vnder the seale set forth and contained.

To the 3rd complayning of exactions by agents to owners of Lands in letting of Leases and praying redresse Wee doe declare that it is against all lawe for the companie to interpose and not leaue owners to make the best conditions for themselues in letting their lands

To the 4th complaining that contrary to all other English Plantacons some of the Inhabitants of late, though shipping some thousands of Tobacco haue bin denyed their passage in the same ship vnles they would first pay downe for their Passage,

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Wee haue resolued vpon the question that the same is a grievance, and for preuention thereof for the future haue ordered that it be henceforth made an Article in the charta party that noe person soeuer either inhabitant or other, lading aboard the magazeene ship 1500 of Tobacco shall pay for his passage, but at the landing of the goods

To the 5th complaining that proportions of Land given for the erecting of Churches and for Church Yards and burying places, have been by some late Purchasers claimed, and the intention of the Donors defeated, and privileges of the Inhabitants infringed thereby; and praying redress and a law to be made for confirming the Donations against all new purchasers whatsoever. We have ordered that the possessions of all lands given for Church yards and burying places to any the churches in the Somer Islands, shall be secured to the respective Tribes to which they do belong. And that you the Governor and Council do take care that the same be done accordingly. And touching the securing of possessions of Lands given for the erecting of Churches in any of the Tribes of the said Islands, we have further ordered that a copy of the Act of Court formerly made in that behalf be with the copy of this present Act sent over to you the Governor and Council, with command that an equal care be had of both particulars in the removing the cause of the complaint, and securing the possessions of the lands to the said tribes respectively. The petition of Devonshire and Pembroke Tribes we have answered by the supply of Ministers, and have designed M^r^ Samson Bond by Commission to preach to those Tribes. And we have assigned M^r^ Samuel Smith to preach at S^t^ Georges, M^r^ Abercromby, by his letter to us, having declared that he will leave that place upon the sending over another Minister.

(8) Wee haue for the pr.sent ordered that M^r^ Norwood shall haue the ffree schoole. Perseuall Goulden to be another School master & M^r^ Jonathan Burr another school mast^r^, and that M^r^ Goulden and M^r^ Burr haue equally two shares of the Schoole lands apiece . .

(9) Now we come to answer your Gen^r^all letter. And for the £24 receiued by Capt Sayle for Cables Wee shall make it vp £50 according to a late letter from Capt Sayle praying soe much for the necessarie Repayres of the ffortifications and making a stone wall round the Kings castle

Wee haue in our last answered what you write about the Scots serveing seuen yeares to which wee refer you

(10) As to the negroes we leaue it to you to make the best bargayne that you can for them and vs, Wee comend it to the more imediate care of you the Gouernor, that the seuerall and

respectiue Officers and Captaines of the Fforts and strengthes in the Islands be charged and required, and wee doe hereby strictly charge and require them to reside and liue vpon the Lands allotted for their p.ticular charges, to preuent the ruine and decay of the publique houses and buildings soe much complayned of

(11) Wee haue taken into the more serious consideration seuerall matters of great and weighty conserne relating to the good and welfare of the plantacon, and as it hath bin our chiefe care to prouide against any approaching euill by Lawes and Orders made in that behalfe, soe we hope that you will exert the like care to put such lawes and orders in execution.

In the first place

To p^r^uent the destruction of Timber in the Islands and the want that is like to ensue therevppon, wee haue ordered as followeth

(1) That no Tenant shall fell any Tree but for necessary repayres

(2) That no Timber be felled as aforesaid in any of the Tribes for necessary repayres but what shall be allowed by the Councell^{r} of the same Tribe before it be fallen

(3) That the stealing of Timber be prouided against by a seuere punishment of the offender

(4) That at cleering of ground no tree shall be lopped but at seuen foot height and in seasonable time and that no brush wood be burnt vppon the place where any Treese do grow and are fallen, but be vsed as fewell by the respectiue Tenants in their houses

(5) That euery owner and occupier of land do maintaine his fences according to the Law in that behalf and that in the fences in an husbandlike maner, they plant Cedar, Olive, Lime. Pomegranate, Fig, Orenge Trees, which will sufficiently supply the want of Timber and make the place fitter for growth and defensable against windes that otherwise prooue soe destructiue in the place.

(12) Ffor p^{r}uenting the great mischiefe that is like to ensue to the plantacon for want of thatch by reason of felling of Palmetto Treese in the little Islands, wee have ordered that all the Palmetto trees be henceforth p^{r}serued, and that you the Gouerno^{r} & Councell take care and giue comand for planting of them in all the little Islands[1] Ffor the p^{r}uenting the mischiefe & danger which otherwise is like to happen by the multyplication of ma-

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[1] By the 'little islands' are doubtless meant, principally, the islands—about thirty in number—in the Great Sound, the soil of which has been gradually washed into the sea. There are a few palmettoes upon some, but many of them are quite incapable now of growing that plant in any quantity.

lattoes Wee haue Ordered that from henceforth if any malatto shall bee made free, such p.son doe within twelue months after depart the Islands.

(13) Whereas request hath bin made vnto vs in the name and on the behalfe of the Inhabitants, to grant an allowance towards the repayre of the fforts in the Islands Wee doe declare that the company are not obliged to grant any such allowance, forasmuch as the country haue borne the burden thereof formerly. But to preuent all iust complaints thereabouts Wee doe require you the Gouernor & Councell to take care that the people be not overburthened in the Taxes, but that the same be equally & indifferently layd, as the respectiue abilities of the Inhabitants can beare them.

(14) Ffor redresse of the continuall charge to the companie in p.uiding and sending ouer Armes to the Islands, which are wanting through negligent keeping Wee haue ordered that there be a gen^{r}all muster in the Islands once euery quarter of a yeare, and that the muster M^{r} hereafter named doe then take an Accompt of all Armes whether fixed or not[1] and haue power to impose a ffine on defaulters (videl^{ct}) for 1st default 2^{s} 6^{d} and for all other defaults not exceeding 5^{s} for each time, the same to be leuied by distresse and sale of the goods of the pty offending, by a warrant from the Gouernor of the sayd Islands for the time being, which fines are to be disposed of towards the supply of armes and amunition And wee have authorized and appointed M^{r} John Nichol the now sherriffe to hold the office of muster master as aforesaid and to haue for his paines to be taken therein, such yearly reward as the company shall see fitt.

(15) Lastly taking into consideration the great p^{r}iudice wrought to the Plantation by export of the money there, by strangers trading for prouision, hides, old iron, &c for p^{r}uention thereof wee haue ordered that all peeces of Coyne comonly called and known by the name of peeces of eight shall bee of the full value of ffiue shillings sterl^{g} and shall soe passe from p.son to p.son in the buying and selling of any comodity or the payment of any debt, or in any other maner of way wherein money may be vsed in the sayd Islands. And that you the Gouerno^{r} & Councell cause Procläcons hereof to be made in all publique places as is vsual in the like kind throughout the Islands, and to take care that the inhabitants duely obserue and pforme the same . .

(16) We cannot but obserue what endeauours haue bin and still are, to alienate Lands contrary to a Law of the Company in that behalfe, and that none may pretend ignorance, at

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[1] Fixed, *i.e.* serviceable. We appear to have here the common American expression 'to fix a thing,' to put it in order, or make it work.

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least mistake our proceedings and maligne them and loose their labor, in not getting our Seale for confirmation of any sale of land vpon sute made for it We haue herewith sent you a copy of the law attested by our Secretary, which wee requier you to publish that all may haue notice.

(17) We haue ordered that the sume of £50 shalbe payd vnto Capt Sayle as a gratuity for his paynes and endeavours on the behalfe of the Company, as Deputy Gouernor in the Islands, and accordingly the money hath bin paid vnto and receiued by M^{r} Thomas Sayle for his fathers vse.

(18) To remooue all iust occasions of Compl^{t} and releeue such as haue suffered wrong and to p^{r}serue the rights and interests of the Company in p.suance of the constitutions & laws of the Company And p.ticularly the 179 Article in the Book of Lawes Wee haue thought it good to send ouer our Commission into the Islands, directed to seuerall persons to examine the Actions of all Deputy Gouerno^{rs}, Counsellers, & Officers that now beare office, or of late haue boren office in the sayd Islands And to make enquiry of, and to examine seu^{r}all other pticulars of publique concernment Also wee haue directed o^{r} Comission to others to lett and sett the publique lands according to Order from vs in that behalfe, and wee cannot but giue you notice of an imperfect return made by Capt Sayle of the Publique lands by the last ship . .

(19) Wee haue bestowed on John Ramsbottom to supply his necessities and to pay for his passage home, the sum of £10, and haue towards his future subsistance leased out vnto him Trunk Island at the annual rent of 10lb of Tobacco, to hold to the Lease and his now wife for and during the tearme of their naturall lives, and the longer liver of them, with vsual covenants for planting Treese repayres &c on the Tenants part to be performed And wee being giuen to vnderstand that the said Island was formerly well wooded till Capt Turner caused it to be felled Wee require you the Gouernor and Councell to examine the trueth thereof, and returne vs an accompt of what the waste was and the value of the same.[1]

(20) Wee haue leased vnto M^{r} Hugh Wentworth a share of Schoole land lying in Warwick Tribe, halfe whereof is in the occupacon of Will Diller als Hall, and the other halfe vntenanted & voyd To hold to the Lease for the term of seuen yeares, rendering 150lb of Tobacco yearly to be payd and deliuered to the vse of the schoole, and reseruing 200 faire choyce orrenges to be packed vp and shipped at the Tenants charge, and returned to the company yearly by the magazeen shipp, with vsual couenants . .

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[1] Trunk Island, the residence of a hermit, in the Little Sound. It is still well wooded.

(21) Wee haue taken into consideracōns and there upon resolued to raise & employ a stock the next yeare for the designe & trade of whale fishing at the Sumer Islands and wee doe hereby intimate vnto you the Gouernor & Councell, and do require & enioyne you that imediately vppon receipt hereof you giue notice to all and euery Owner of Land in the Islands of this our Designe, as also that you publishe or cause to be published vnto them as followeth

(1) That all and euery Owner of Land in the sd Islands that will cum in as an aduenturer in the vndertakinge shall aduance according to the number of the shares of Land he holds 50s for each share

(2) That if any member of the cōmie or owner of land as aforesaid, shall refuse to ioyne in the aduenture, that it shall and may bee lawfull for any other member of the company or owner, that will, to aduance p.portionably in his stead, and to haue the benefit of such sum as he shall soe aduance, he being approued by the Company

(3) That all owners of lands that will cum in shall giue in their names & subscribe what sume they will aduenture to you the Gouernor & Counsell at least a weeke before the ships dep.ture in the present voyage from the Islands, and further take care that the sume or sumes of money soe subscribed be paid to the Treasurer of the Company at London, within one moneth of the said ships cuming into English Harbor in her returne, otherwise euery such pson fayling in the premises to be excluded for euer out of the vndertaking or haueing or clayming any aduantage thereby.

(4) That the accompt of all such owners cuming in and subscribing as aforesd be by you the Gouernor and Councell returned vnto vs by or magazeene ship, whose stay at the Islands to vnlade and relade wee haue appointed to bee 40 days and no longer. And for the better expediting of the aforesd designe you are to send vs a duplicate of the Aduenturers subscribing with you, by way of Barbadoes

(22) Then follow the appointments of officers. Captain Fflorentia Seymor to be Deputy Gouernor and Captaine Genrall and Captaine of the Kings Castle, and Captain of the Trained Bands at St Georges.

Mr John Nicolls sherriffe. Mr Henry Tucker Secretary

Councellors 8: Captains of Forts 3: Captains of Trained Bands 5: marshall John Bristowe

signed JOHN HEYDON Deputy
and seven others

London 10 October 1662

To our louing friends Captn Fflorentia Seymor Deputy Gouernor & the Councell of the Somers Islands these

68. Som̄er Islands, *alias* Bermuda. A Warrant, November 28, 1662. (See again p. 184.)

Whereas one Spanish Shipp called the S^{t} ffrancis and S^{t} James, whereof is Comander Andrew de Arroy, comeing from Carthaiena, and being bound for Biskaia, springing a great leak at sea, was forst to putt into our Harbor of Bermudah for releife, and to unload the aforesaid Shipp to Carreene. Now know yee home it may Concerne, That Don Bartholomew de Maceney Knight of the habit of S^{t} James, with severall other Spaniards and Servants of Madareele, being desirous to transport themselves back againe for the Port of Portareek (Porto Rico) in the West Indies. I the sayd William Sayle Govornour have ordered & p^{r}mitted M^{r} Thomas Leach, Comander of the Catch Prosperous to transport the aforesaid persons to the Island of Portareek, desireing all his Maiesties Subiects by sea or land that shall meet with the said M^{r} Thomas Leach, not to molest, but rather assist him in this his lawfull designe and imployment, which shall engage us to doe the like to you or any of yours that shall have occation here.

William Sayle Governour

Given under my hand & Seale, &c.

Henry Tucker Secretie & Notarius publ^{us}.

69. At an Assize, December 2 to 6, 1662.

(1) The Jurie for our Soveraigne Lord the King doe p^{r}sent Black Tom, a Negroe servant of M^{r} Richard Norwood of Pembrooke Tribe, for that in or about the Moneth of May last past on a Saboath day, he did by force and armes enter into the dwelling house of Thomas Bostock of Smiths Tribe, planter, and from thence did steale, take and beare away, one dozen of Tobacco pipes, price two pence, being the goods and chattells of the said Thomas Bostock, all which is against the peace of our Soveraigne Lord and King, his Crowne and dignity, and contrary to the force of the Laws and Statutes in that case made and provided.

To which Indictment he pleaded not guiltie and for his further troyall he put himelfe upon God and the Country, which being a Jurie of 12 sworne men, found him not guiltie, Whereupon he was adiudged to be punished at the whipping post with 39 lashes upon the naked back, which was executed upon him accordingly.[1]

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[1] Perhaps 'not guiltie' is a clerical error in the original; but the punishment may have been for breach of orders.

(2) It is unaniōusly Ordered. That a publication be speedilie drawn for the observation of the Saboath day eyther by the hearing of the Ministers, or by the Inhabitants repayring to their p^{r}ticular Tribes Churches. And that the Quakers bee not molested untill further Order from the Companie or Kingdome of England.

(3) Marie Mountaine of Davids Island p^{r}sented for a profane and very evill tonged woman, and for that, contrary to Christianitie and contrary to the expressd Com̄ands of God, who saith, thou shalt not speake evill of the Ruler of the people, yet the sayd Marie Mountaine having so farr suffered her passion to over runne her reason, as, before credible evidence, to sweare by God that our Hon^{ble} Governor William Sayle was a Rogue and his wife was a w— [no sentence recorded].

(4) Hugh Atkeson of Tuckers Towne presented for a com̄on drunkard by the Grand Inquest,

The said Atkeson is thereuppon made Infamous.

(5) Nicholas Spenser & John Lee Sen^{r} of Sandis Tribe presented for Com̄on drunkards.

The said p^{r}sons are censured to be made Infamous.

(6) Ann Maie of Pagets Ttribe, Richard Jefferies & Susan Spenser of Sandis Tribe, having bin presented for suspicion of Incontinencie.

The said parties have bin censured to bring in their Compurgat^{rs} within ten daies, or to be whipt at the whipping post at S^{t} Georges.

(7) Richard Apowen Jun^{r}, Beniamin Apowen & Harbert Apowen planters, As likewise William Huchings Joyner (all of them of Devonshire Tribe) haveing bin presented by the Grand Inquest, for that the aforesaid parties, contrarie to good Conscience, equitie, or Christianitie, have combined to prevent Judgment and hinder all due course of Law, by bribing one Thomas Hopkins to smother a felonious act comitted by George Apowen, of the Tribe above said, by the said Hopkins his disowning his owne monie, even uppon his oath, in open Court at the last Assizes, felloniously taken out of the said Hopkinses Chest standing in M^{r} ffrancis Watlington's house, by the aforesaid George Apowen.

The aforesaid Richard Apowen, Jun^{r}, Beniamin Apowen, Harbert Apowen, William Huchins and Thomas Hopkins have thereuppon bin censured, everie one of them, to stand in the pillorie one compleat houre, by the unanimous censure of the Court, which said punishment hath bin inflicted uppon the aforesaid p^{r}sons accordinglie.

(8) Capt Edward Stainan unaniōusly censured to pay 4^{ls} sterl at the next generall division, ffor his Miscariage towards the

Goverm^{t} of these Islands, And for his beating his negroes unmeasurably.

70. Memorandum, December 13, 1662.

That Thomas Huchins of Devonshire Tribe hath appeared in my office, and hath voluntarilie consented unto and agreed, uppon his disbursment of a considerable som̄e of Monie in the purchasing of a Negroe man com̄only called Jose, that the said Jose shall be manumised and made ffree at the expiration of Twenty ffive yeares from the day and date aforesaid. Uppon Condition that the said Jose doe faithfully serve the said Thomas Huchings or his Assigns, and not absent himselfe from his aforesaid Masters, or his Assignes, Imployments, nor carrie himselfe stubbornly or disobediently during the full Terme and time aforesaid. But in case he the said Jose shall carrie himselfe contrary to the premises, That then hee bee continued in Servitude for the full terme of Ninety nine yeares, if he shall soe long live. In Testimonie of the trueth of the p^{r}mises, I have hereunto sett my hand the day and yeare abovesaid.

Henry Tucker, Secretie

71. Sum̄er Islands, *alias* Bermuda. A certificate.

Upon the 17th November An^{o} Dom: 1662, Arrived in this Island the Shipp called S^{t} ffrancis & S^{t} James belonging to Captaine Diego de la Torre. Which came from Carthagene fraighted by Capt Pedro Gerces de Buscamante for the Accompt of his Maiestie King Philip the fourth of Spaine &^{c}, which goeth with Advice, despatched By his excellencie the Conde of S^{t} Stephen Vice King of Peru, the which Shipp entered our Kings Castle Harbor with great necessitie and want of provisions, having broken two gudgeons of her Ruther, by which shee made a greate aboundance of water, being wholly impossibilitated to performe the voyadge, without remedieing the foresaid leacks. And by vertue of the peace betwixt the two kingdomes, the Governour of the said Island did afford all things necessarie for their use, paying the prices Currant of the Countrey, giveing assurance in the Name of King Charles the second &^{c} himselfe as Governour of the said Island, that no iniurie should be done to them, they behaving themselves Civilly, the which I did p^{r}forme in giveing them all things necessarie (by them sesonably demanded) with civill entertainment to the said Capt Pedro Garces de Buscamante, upon whose Accompt the said Advice of his Maiestie goeth for Spaine. In Testimonie of the trueth of the p^{r}mises I have hereunto sett my hand, together with the publicke Seale of these Islands the 12th of Janiarie 1663 Stil: nov:.

Signed
WILLIAM SAYLE Governor

The preceding document is the last which bears the signature of Captain William Sayle. His successor, Captain Florentia Seymour, was nominated by the Company in September or October 1662, and assumed the administration of the government in January 1663. Captain Sayle subsequently became Governor of a part of North Carolina under the Lords Proprietors, as has been already stated.

CHAPTER XIII.

GOVERNMENT OF CAPTAIN FLORENTIA SEYMOUR.
JANUARY 166⅔ TO MAY 1668.

HAP. XIII. 166⅔–1668.

1. Florentia Seymour, who has bequeathed one of the many unusual Christian names met with in Bermuda, was probably a grandson of William Seymour, Ancient and Sergeant-Major to Governor Butler in 1621, and son of William Seymour, jun., a Councillor of State, whose name frequently occurs down to 1654. He was also Councillor of State, and Captain of Southampton Fort in 1661.

His name occurs among those who suffered in the cause of the Commonwealth (p. 118), and his leaning was evidently on that side, although appointed after the Restoration. His wife was charged, when the word was opprobrious, with being a Quaker; but if this be true, I have found no evidence of sympathy on his part with her sect. He was reappointed Governor in 1681, and died in the same year.

We learn incidentally something of the financial affairs of the Company about this time from a proposal touching Bermudas handed in to the Council of State by Francis Burghill in 1684. He declares that in this year, 1662, ‘the Companye did rayse £846 . 8 . 4 vpon Tobacco only, at one half-penny per lb, besides y^{e} Proffitts of y^{e} General lands, y^{e} tax on Rum, a Land tax, Pole money &c., yet the whole charge of Government that yeare both here (in England) and in y^{e} Islands amounted but to £300, proved at y^{e} tryal.’ That since 1662 they have for the most part ‘raysed 1*d.* per pound on Tobacco, w^{ch} amounts to £1600.’ He remarks elsewhere that, although the tobacco is not good, the strength of it makes it in request 'in all could countries,' especially towards the sea coasts.

2. In accordance with the usual practice, Captain Seymour's first act was to convene a General Assembly, the proceedings of which are embodied in the subjoined letter or report addressed to the Company :—

Somer Islands Januarie the 27th 166⅔

Whereas the Right Honble the Gouernor & the Honble Companie of their tender regard of the welfare, tranquilitie prosperitie settlement and comfortable beeing, of the Inhabitants of this poore Colony, hath strictly com̄anded & required our Honble Gouernor speedily to sum̄on an Assemblie whereby they may haue a right vnderstandinge of the chiefe Agreevances of the Inhabitants att present, that soe they may giue all due redress In performance whereof our Honble Gouernor haueing acted accordingly Wee the Genrall Assembly being legally elected and conuened, after mature debate, in an assured confidence of the noble and pious inclinacons of the Honble company to releeve vs Doe humbly crave that these our aggrievances may by their ship now in harbor bee transmitted vnto them

(1) Wee the Genrall Assembly haueing taken into our own consideracon the companies desire for prouiding a way for the making of good Tobacco It is therefore enacted by this present Genrall Assembly And by the power and Authority of the same bee it enacted That euery Inhabitant of these Islands shall vse the best of his indeavours for and in the making principall good Tobacco without fraud or deseite. And it is further enacted &c That if any Inhabitant of these Islands shall vse any fraud or desaite in making of Tobacco either in the wreathe or rowle, and the same tender for any manner of payment, all such persons soe tradeing as aforesaid shall bee ffined and pay doble the value and quantity of the deseitful Tobacco tendered, in good Tobacco or monie to the value of good Tobacco, to be laid out for the publique vse of the country

And that the Honble Company may hereby vnderstand our good intencons And that the Planters by them may bee incouraged to the better making of Tobacco The Inhabitants and Planters being not capiable or able to make their Tobacco all to a like goodness It is further enacted &c That a price may bee by the company & merchants allowed both for our good Tobacco and likewise for or indifferent Tobacco, which may beare proportion with what hath bin or may hereafter bee offered by any of his maties subiects. Prouided alwaies that Crowne dues and the Honble companies may bee first secured And the merchants or ffactors refusing the Tobacco as aforesaid for payment of their goods or Debts here That then it may bee or shalbe lawfull for the Inhabitants or Planters to dispose of their Tobacco soe refused to any ship or shipps belonging to his Maies^{ties} Dominions or merchants of the same that shalbe willing to trade or comerce for the same Tobacco

(2) According to the companies Order Wee the gen^{r}all assembly haue made a Survey of all the Lands called Schoole lands which are possessed as followeth (vidlzt) in Southampton Tribe ffoure shares, two of which is in the possession of M^{rs} Elizabeth Durham, and M^{r} Henry Durham, which two shares pay 240^{lb} of Tobacco p^{r} annum paid to the master of the ffree schoole, and are held by the Tenants pr virtue of a Lease from the Hon^{ble} the Earle of Manchester

One share in Warwick Tribe lately in the possesion of Will Hall which Tenant pays 140lbs of Tobacco to the School M^{r} and the land now granted or let pr the Hon^{ble} companie to M^{r} Hugh Wentworth, One share of Land in possession of Capt Phillip Lea in Pagets Tribe which he layeth clame to as pr right from M^{r} Copeland, and alloweth accordingly sixty pounds of Tobb. to the ffree school pr annum Two shares of Land in Deuonshire Tribe in possession of M^{r} Percivall Golding, who enioyeth the profit of the same pr order of the Hon^{ble} Earle of Manchester as Vsher of the ffree schoole

Two shares more in Southampton Tribe one in the posse.on of M^{r} John Stiles, the other in possession of M^{r} Thomas Kemball, which tenants did formerly pay 140lb of Tobacco p share. But for the present there is granted a lease of one and twentie yeares for the said land vnto John Wells by the Hon^{ble} the Earle of Manchester and at the rate of one hundred pounds of Tobacco pr share for the vse of the free schoole Two shares in Pembrooke Trybe one in the possession of Daniell Bull Sen^{r} the other in the occupacon of Rich^{d} Sanders & Will Stafford, each share payeth 100^{lb} of Tobacco to the ffree schoole Master

(3) Wee the Gen^{r}all Assembly according to the Hon. Companies orders haue considered of three the most convenient places for settlinge and erecting of ffree schoole Masters for the benefitt of the younger sort besides what is alreadye erected and settled. It is therefore enacted &c That the places appointed for the settling of the schoole masters to be (vidz^{t}) The first at the Chappell in the ouerplus. The second vpon the school lands in Warwick Tribe, The Third in Baylies Bay belonging to Hamilton Tribe.

(4) Wee the Gen^{r}all Assembly finding it a great agreevance and p^{r}iudice That in the vacancie of ministers, that the Gleab lands hath bin let out by the Gouernm^{t} here But certayne

it is & by experience found that where ministers come to vs our Gleabe houses are to be now repayred, and that vppon the Tribes charge It is therefore enacted &c That all such Gleabe lands as are now appointed for ministers that shall bee vacant, shall be lett and hired out by the Church Officers to which the same Gleabe belongeth, for such Rents (if the land produce the same) as shall keepe the same Houses in repayre, and likewise make a stock for the minister that shall succeed. And what stock such minister shall receive from the Church Officers shall bee by him or his Assignes left to the vse of the next minister that shall succeed him

(5) Wee the Gen^{r}all Assembly haueing receiued seue^{r}all complaints from the Tenants of the Publique lands and their agreevances by reason of the raising of their rents It is therefore enacted &c That wee judge and owne the Hon^{ble} company to bee the true owners of all the publique lands, and wee noe wayes did antisipate them in the raiseing their Rents. But if it bee their pleasure to imploy their Tenants that liue on the publique lands as heretofore Then the Hon^{ble} company to allow them reasonable satisfaction for their paines.

(6) Wee the Gen^{r}all Assembly being sensible of the great oppression some people have vsed by procuring Leases of Lands from certain members of the Hon^{ble} company vppon reasonable Rents, on plea of their p.sonall necessities And after their arrivall here haue taken aduantage vppon the necessities of such poore Tenants as they haue found on the Lands by them taken, that the poore people haue bin forsed to giue great ffines and pay hier rents than formerly, or else leaue their Lands to the vtter ruine of them and their families It is therefore enacted &c That all such psons as for the time to come shall procure any Lease or Leases of Land in this Island from any member of the Hon^{ble} Company, more than for the p^{r}sent supply of his ffamily and Relacons, and shall exact any more rent or ffine on the lands or tenants that shall enioy the same more then was formerly payd, shall forfitt and pay doble the Rent and ffine by him or them soe raysed, to and for the publique vse of the Country, Wee the Gen^{r}all Assembly haueing seuerall Complaints from the Country that many of them are engaged to shipp ffruits & potatoes in part of satisfaction for their Rents, and haue many times herefore tendered them to be shipt in the magazeen ship, and they haue been refused. And such as haue been shipt at any time the owners haue not had reseits for the same. It is therefore enacted &c That for the time to come, all such psons as shall present any ffruites or Potatoes to the magazeene ship or Commander, the same beeing received, the person soe shipping shall haue for his goods shipt a receipt from vnder the Bote-

swaine or Pursers hand for the same And if refused to be shipt vppon their tender, the master or Purser to giue a note vnder his hand that hee refused the same

(7) Wee the Gen^{r}all Assembly finding it an Agreevance of all the Inhabitants of these Islands in Generall That they are forced yearly to pay a leuie towards the maintainance of the souldiers that lyeth constantly in Garrisone, and not only soe but also to bee at a continuall charge in repaireinge both fforts & Castles It is therefore enacted &c That the Hon^{ble} Company for the time to come doe repaire and fitt all the Forts and Castles in or to these Islands belonging out of their Duties they receiue by or for our Tobacco, and the Gouernm^{t} noe wayes ought *to haue laid* such Tax or Imposition vppon vs here, contrary to their own *Rules* as may appeare in their 143rd clause in their Book *of Orders* extant.

(8) Wee the Gen^{r}all Assembly haueing receiued seu^{r}all Complaints of the insolent carriage of negroes molattoes & musteses, haue enacted &c for the time to come That any such p.sons as count themselues ffree because no p.ticler masters claymeth their seruices, yet in our iudgments are not ffree to all nationall priuiledges: If any such persons shall carie and behaue themselues mutinous or proudly against his Maiesties Subiects: after conuiction of the same it shalbe lawfull for the Goue^{r}no^{r} & Councell to subiect them to the seruice of the Colony or perpetuall banishment. And bee it further enacted &c That if any of his Maiesties ffree borne subiects, hee or shee shall presume to mary with or haue *commerce* with any negroes molattoes or musteses, then after conuiction they are to bee subiected to the colony or be banished. It is also further enacted by this p^{r}sent Gen^{r}all Assemblie &c That if any negroes molattoes or musteses, that haue bin heretofore seruants to any of the Inhabitants, and are now out of their times and not ffree by the Lawe of our nation referring to Aliens, that such haue noe further priuiledge then to stay one year and then imediately to depart if opportunity present, or otherwise to become Colony seruants for euer

(9) Wee the Gen^{r}all Assembly haueing had seu^{r}all complaints from the Inhabitants against such masters as giue lisence to their negroes molattoes or musteses To plant Tobacco & trade or barter awaie the same; many persons haueing had their Tobacco stolen out of their houses as it hangeth in leaf to cure, haue had a suspision of such libertine servants[1] It is therefore enacted &c That all such masters as for the time to come shall giue any priviledge or *license* to their negros mulattoes or musteses soe as aforesaid, *to sell* or trade away any Tobacco Shall vppon conviction forfett and pay one hundred pounds of

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[1] See Acts vi. 9, authorised version of 1610, for a similar use of this term.

good and principall Tobacco[1] for euery time soe offending to be layd out for the publique vse of the country And bee it further enacted &c That if any person or Inhabitant of this Island shall Trade comerce or receive any Tobacco goods or merchandise from any negroes molattoes or musteses, without a note or order vnder his Mast^{r} or mistresses hand, to warrant the same, shall pay for euerie time soe offending 100lbs of good principall Tobacco to be layd out for the publique vse of the Islands as aforesaid

(10) Wee the Gen^{r}all Assembly experimentally finding the euill euents of Negroes, Molattoes or Musteses walking abroad on nights and meeting together, Notwithstanding many Proclamations made for restraint. Yet execution which is the life of the law being so often omitted & a continuance of the same misdemenors Bee it enacted &c That all and euery such p.sons soe offending, not haueing a Ticket from their masters or mistresses shall bee well whipped, and all magistrates and inferior officers that after complaint made, shall neglectt the execution of the same, shall forfit each time soe neglecting, Tenn shillings for publique vses

(11) Wee the Gen^{r}all Assembly finding great preiudice to our Inhabitants, and much decay in Trade by reason of the want of monie which of late years haue bin carried and conuaied away both by Inhabitants and strangers. It is therefore enacted &c That all peeces of coyne com̄only called and knowne by the name of peeces of eight being good siluer, shall bee of the full value of ffiue shillings sterl pr peece. And euery half peece of eight shall be of the full value of Two shillings sixpence sterl. and euery Spanish shilling or quarterpeece of eight shall bee of the full value of ffiueteene pence sterl. And euery Spanish sixpence or eighth part of a peece of eight shall bee of the value of seuen pence halfepenie. And they shall soe passe from person to pson in buying or selling or payment of Debts for the time to come. Alwaies Prouided that what debts haue bin heretofore contracted shall bee paid in peeces of eight at ffoure shillings pr peece And bee it enacted &c That noe comander of ships or *Barques carrying* Passengers for the time to come shall transport or carie away with them in their ships or Barques aboue the value of ffiue pounds, vppon doble the forfeiture of all such some or somes of monie then afore expressed that shall bee found or discouered to be imbarqued: one half to the Informer, the other halfe to bee expended in publique vses

(12) Wee the Gen^{r}all Assembly findinge that it hath bin a custome of Seu^{r}all persons of our Islands to refuse to serue in such publique places as they haue bin chosen to by the Hon^{ble}

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[1] Isaiah xxviii. 25. 'Doth he not cast in the principal wheat, and the appointed barley, and the rye in their place?' A.V. 1610.

company at home or by our Gouern^{t} here, which persons are willinge or desirus That the burthen may lie on other mens shoulders, soe as themselues may get free It is therefore enacted &c That all and euery person in this Island for the time to come that shall refuse to serue in any publique place or office, being lawfully chosen therevnto by the Hon^{ble} company or Gouernor and Gouernm^{t} here. That all and euery such person or Inhabitant soe refusing shall ffine or pay if Shierif, Secretarie, Councellor, or Captaine, Twentie pounds sterling. And all other inferior Officers chosen as aforesaid ffiue pounds Sterl pr peece And all such ffines so paid, to bee layd out for publique vses for the Country.

(13) Wee the Gen^{r}all Assembly haue receiued many Complaints from the Country as their Agreeuance. That whereas many Assemblies heretofore haue made many good and holsome Lawes, and seuerall of the same Lawes hath by the Hon^{ble} companie bin confirmed, and answer thereof hath bin sent in their Gen^{r}all Letters, but seldom above once or twise published in the Country It is therefore enacted &c That all such acts as shall bee by the Assembly presented to the Companie, and by them confirmed shall bee sent ouer in Print for the satisfaction of all the Inhabitants.

(14) Whereas Capt^{n} Josias fforster hath made a modest Request to this present Assembly to discouer in some measure to your Hon^{ble} Society his suffering condition, hauing soe long time serued as a Deputy Gouernor in this Island with inconsiderable maintainance for so high a place, and conceiuing some misinformation may be cause of distaste and hinder your Hon^{rs} intentions to reward his seruice. And experience teaching that the wisest (as men) may com̄it an error and some slips may be in matters of Gouernmen^{t}. Yet to the vtmost of our knowledge the greatest preiudice hath been the expending himselfe to maintaine the hono^{r} of his place. Yet such is the miserie of our past and worst tymes that it is incident to some to depraue others, thinking thereby to excuse themselues, and that wee feare hath befallen on the afore mentioned Gent. Wee therefore the Gen^{r}all Assembly are humbly bold to make it our request That your Hon^{ble} company would be pleased in the weake and feeble age of the said Capt^{n} Josias fforster, In regard to his long faythfull (and to himselfe chargeable) seruice to allow and send him some support which we referr to your wisdomes.

(15) Wee the Assemblie well knowing the fidelity and courage of our now Goue^{r}nor Capt^{n} fflorentia Seymor and as well the true affections of our Country to him Doe with one consent Returne most humble and heartie thanks to your Hon^{ble} Society for that most happy choyse, haueing full assurance of his

CHAP. XIII. 166$\frac{2}{3}$–1668.

indeavours ffor the Hon^{r} of God your Hon^{ble} Society and our Country, pray his continuance, and the ministers of the Gospel with him, and all conclude most happy, and begg a furder supply of such a ministrie

(16) Wee the Gen^{r}all assembly legally conuened after debate, vppon mature deliberation: wee are humbly bold to present vnto the serious consideration of the Hon^{ble} Company some reasons showing how the p.hibition for building of vessels in the Somer Islands is preiudiciall to the prosperity of the Plantation, with sum presupposed obiections answered

ffirst If the maritime places abound in shipping of their owne, the more the prosperity, and the richer the place, as is visible in the maritime parts of England Holland &c Then this Plantation which for want of vessels is yearly forced to be beholding to New England and others to supply with salt earthenware and other necessaries at greate prise, and giuing small for our Comodities, must necessarily be impouerished and our meanes exhausted, which by shipping of our *produce* might be preserued and increased

2ndly If discouery of forreign parts be to the increase of the *honor of his* Mat^{ies} Crowne & dignitie which none will denie Then this *Plantacion* is reasonably furnished with Artists And is situated as conueniently for discouery as most of his Ma^{ties} subiects western plantacons

3rdly If it be profitable not only to discouer but also at an easy charge supply the place with planters and victualls &c Then this Plantacon by reason of its propinquity to the mayne Land, and the multiplicity of natiues by the blessing of God uppon generation here, and the increase of Cattell &c, is as fitt and comodious as most of his Ma^{ties} westerne Plantacons, if wee had shipping of our owne The want whereof some of our late plantacons haue been sensible of, as S^{ta} Lucia, Elutherea, &c Alwaies prouided that securiety be giuen to the Gouernor and Councell that the vessels built here shall be solely for the use and benefit of the Colony, and not to be disposed of otherwise

But it may be obiected

ffirst The Plantacon is bare of Timber and some Planters want wood to burne

2ndly If shipping should be built they would haue neither timber nor plantes for fortification To the first wee answer that couetiousnes was the first cause of the desert, by ther sale when time serued, or burning to make roome for Tobacco &c. and the remedy for this disease did much more increase it (videlz^{t}) the Prohibition, ffor who would be soe weake to plante and preserue that which will yield noe present profitt neither could enioy that to dispose of, the which, instead of pseruation hath caused

CHAP. XIII.
166$\frac{2}{3}$–1668.

the destruction of abundance of young Cedars, and of much good timber, beside the great number of good old treese blown downe by winds, which perish and lie rotting on the ground in many places, soe that of Treese of great bigness can scarce be gotten sixe inches of Coopers Timber Moreover our late Gouern^{r} hath giuen good example, if followed wee need not feare want of firewood, or of Timber to build with, ffor in Twentie yeares a plant well preserued may be good building timber

3rdly If there were sent sawyers to Roanoke, and other workemen to make it fitt for us, wee might be sufficiently furnished with great timber, Planks, and Pine masts, not only for shipping if they needed, but for ffortes. Provided wee have vessells of our owne to transport the workmen and supply the *ships* to bring hither their workmanshipp, and at a farr cheaper rate than England can be supplied from Norway.

But some will haply say, if you had shipping of your owne *it would cause* a hindrance unto the Aduenturers Trade in Somer Islands *and the* magazine Shipp may returne unfreighted, Wee answer no. For there is a standing Law wch is dilligently observed, that no tobacco be exported out of these Islands until the magazine shipp be laden or refuse it. and for the Aduenturers Trade wee shall much enlarge it, hadd wee vessells of our owne, by supplyinge other parts and pettie plantations with the superfluities of their own cargoes, wherebye they will be the sooner vended, make the better returnes yearlye; and the magazeene shipp fuller freighted, with more considerable cōmodities, and we humbly conceiue that ffree holders here may uppon soe good accm̄pt dispose and sell their owne Timber

This wee humbly present as our Remonstrance according to our duties, as we conceiue tending unto the prosperitie, of the Plantation, the employment of our youth in nauigation wherebye in time they may be fitted to serue his Majesty and their Country, in places of more considerable employment

All these afore expressed Acts agreements and remonstrances was done and confirmed within the limited time of the Hon^{ble} Company this 28 day of January 166$\frac{2}{3}$

(signed) CHARLES WHITENHALL Speaker

John Wainwrighte *Sen*^{r}
Thomas Brereton
Thomas Griffen *Sen*^{r}
Roger Bayly
Edward Brackley
Edward Brangman
James Starrop
Henry Staluers

Boaz Sharpe
Richard Hunt
George Bascome
Anthony Peniston
Thomas Plumer
Christop. Burroes
Edward Evans
Samuell Whitney

William Peniston
Thomas Wells
Will. Williams
Fflorentia Seymer
William Sayle
John Nicholls Sherf
ffrancis Tucker
Richard Jennyns
Edward Sherlock
ffrancis Watlington
John Deuitt
William Waylitt
William Greenway
Henry Tucker
Secretarie

3. The Company to Governor Seymour, Feb. 11, 166$\frac{2}{3}$.

Capt Seymer,

In our General Letters dispatched and sent to the Deputy Governors of the Somer Islands, we have yearly and as occasion hath required, enjoyned and strictly commanded them to have an especial care, That no Tobacco be exported out of the Islands but in the Companys Magazine Ships; and notwithstanding all our endeavours used, yet we find much of the Tobacco of the growth of the place to have been of late brought hither in New England and other Ships, to the glutting of the market, and the manifold prejudice of the merchant. Wherefore We do expressly charge and require you, that you be observant of these our former and this our present command in that behalf, and that upon no pretence whatsoever, you suffer any Tobacco to be exported but in such ship or ships as shall be authorized by Commissions from us, to export the same out of the Islands, for which purpose, we have sent you a Copy of the Law long since made, of which we require and shall expect your punctual observance. And thus bidding you heartily farewell, We rest, your very loving friends,

J. Heyden Dep:
Sam Harwar,
Christoph Hussey,
Ja: Browinge,
Perient Trott,
William Graves,
Nathaniel Smith,
John Hinde,
George Waterman.

London
11th Febr: 1662

4. At a Council Table, March 1, 1663.

In pursuance of an order received from the Company, the late Governor, Captain William Sayle, was bound over in a recognisance of 1,000*l.* to answer a charge about words by him formerly spoken in derogation to the King's Majesty's power. The words, attested by Leonard White, Anthony Peniston, and others, were, 'That wee are here under a company and not under a kinge,' whereupon he was ordered not to depart the islands until the Company's judgment were known.

The Company cancelled the bond.

5. Extracts from a letter sent by Mr. Perient Trott to his agents in Bermuda on the tobacco trade, April 15, 1663.

Gentlen

With my love presented to you. Jenkins set sayle from the Isle of Wight directly to you the 24th Novemr last, I hope safe with you long before this tyme. Tobacco is a miserable Com̄odity throut the world, more Burmoodas in England then will sell this Two yeares. I pray take not a roll for me but what is gallant both for cutt & color as before I writ you, and hope you have don soe, if noe such Tobacco be made take none for mee, let others doe what they will, pray follow my order; the London Shipp you may (God willing) expect to be with you about ffebruarie next, and not before, the shipp will be long setting out this yeare, goeing now for Holland I know aboundance of goods will bee left in the Islands unsold, and doe not let that fond fancie runn in your minds as I conceive will possesse the Islanders, that the shipp now goeing for Holland this yeare will make Tobacco turn to be gould, the next yeare, they will be mistaken, there is such plenty of our Tobacco still unsold brought home in Jenkins severall yeares, and soe much this yeare brought to London from your Islands by New England Shipps with you last sum̄er, feeding the Markett since Michaelmus last almost every moneth, and such great quantities made at Virginia, that it cannot yeald any considerable price, and for this yeares Tobacco now exported home in Jenkins I am confident, by letters I have received lately, that did it cum for England, it is soe bade it would not yeald the charges, nor was taken out of the Custom House, I hope I need not say more unto you, then I have before declared unto you, if this should miscarry, and not come to your hands. And once more I say unto you, If the Inhabitants doe not make their Tobacco excellent and good, they will finde it will never sell neither with you nor noe where you can carrie unto in the world. I hope you will not bee angry with mee, that I declare unto you what you will finde, I have don what I can to keepe upp the price by ingrossing of it into my hands by buying of it yearly. But now it must seeke another Customer, the quantity hath beene soe much that hath bin made lately, and soe bade or indifferent (both qualities alike) that I can buy it noe more, and for an indifferent role, I will not give for itt a Row of pinns. Now I hope you are sufficiently forewarned and hath bin by letters this two yeares, and therefore you have noe excuse if you send mee a rowle, neither shall I accept of a rowle but what is good as before I have related. It is not your makeing of a rowle handsomly that will sell it, that is but one ingrediance, itt must be good stuffe, and well handled if it yealdeth anything considerable in the world, and if you doe not take now warninge, never expect more advice from mee in this kinde. And though som men may say this is alwaies the language of Mr Trott, and it maketh not much what hee writeth, but in shorte, if you doe not finde my words to be true before a 12 moneth be at an end, then say I am a folce Profett &c

Your loving friend
Perient Trott.

London Aprill 15th 1663.
To Mr John Bristoe Provast Marshall
in the Som̄er Islands these presents.

6. Conditions of apprenticeship of a slave girl.

Memorand. That on the Twentie Third daie of Maie An° Dom: 1663, John Nicolls Sherriffe, by and with the Consent of Capt fflorentia Seymer Governor for the time being. Hath lett a little Molatto girl called Joanna the childe of Penellope a Molatto, the Companies Servant, unto Mr Thomas Shaw of St Georges Parish, to bee nursed and trayned upp in a Christian way. In consideration whereof he hath bound the said mollatto to live with and serve the said Mr Thomas Shaw or his Assignes untill shee shall attaine to the age of one and twenty yeares of Age. In confirmation whereof Mr Nicholls Sherriffe hath subscribed his name the day & yeare above written. And at the expiration of the said Joannas time aforesaid, shee is to bee allowed Two Suites of Aparrell. One for Sabbath daie, and the other for working dayes. Witnes my hand the daye & yeare abovewritten.

John Nicholl Sher:

Test: Hen: Tucker Secretie.

7. An example of a divorce under the Commonwealth has been already given (p. 46). Another case, decided by Governor Seymour, September 16, 1663, presents some singular features. Jane Grimsditch, wife of John Wells, to whom she was married in 1645, went as passenger to England in January 1657, and there contracted a bigamous marriage with one Miller, resident near Guildford

in Surrey. Her husband sued for a divorce, which was granted in terms that wholly annul the previous marriage. After reciting the facts and the non-appearance of the respondent, he proceeds :—

I therefore fflorentius Seymer Governo^{r} of the Islands aforesaid, as much as in mee lyes, and the Lawes of the Kingdome of England doe permitt, and the decrees of Parliament not hindering, and haveing the feare of God before my eyes, do upon mature advise and deliberation of the premisses : I doe pronounce, decree and declare the aforesaid premised Marriage or rather the effigies & species of Marriage betwixt the aforesaid John Wells and Jana Grimsdich, however hadd & done and de ffacto (though ineffectually) celebrated, To have been, and to be Null and invalid and to every effect of Law voyd and illegitimate both in the force & effect of Law. And the same I doe by these p^{r}sents, Null, invalidate and make voyd, And doe pronounce, declare, and decree the said Matrimonie for Null, invalid, illegitimate and of none effect, as much as in mee lyeth, and as far as the Lawes, Rights and Statutes of the Kingdome of England doe permitt, and the Ordinations of Parliament doe not hinder. In Testimonie of all and singular the premisses, I have hereunto sett my hand, and have caused the Seale of Office to be hereunto affixed the 15th day of September, in the 15th yeare of the Raigne of our Soveraigne Lord King Charles the second &c. An Dom. 1663

FLOR. SEYMER

8. At a Councell Table held at Capt Phillip Leas house in Paget's Tribe the 24th day of September 1663.

The Governour propounding to the Councell that the house erected for the proper use of the Sheriffe of these Islands, in the Infancie of the Plantation It being at present in a tottering condition and not worth the repayring. And hee conceiveing that the same taken downe, and it added to the Secretaries house for the cumfortable accom̄odation of the Secretarie & his ffamilie for the future, will bee consonant to the Companies good likeing. It is therefore unanimously Ordered on the affirmative parte. And the said house being finished uppon the charge of the Gen̄rall Levie this present yeare, the Countrie not to be at any further charge for the maintainance or repayreing the same hereafter, but the Secretarie to kepe it in good repaire uppon his owne proper charge & cost.

It is likewise unanimously thought fitt that the Secretaries Office be remooved and kept in the Sessions house, prinsipally for the better secureing the Records from the danger of ffire, the which is more incident to a *leaved* house than to the Sessions house, which is Shingled.[1]

9. At a Gen^{r}all Court held on Thursday the 22 Octob^{r} 1663.

Whereas Acland and Elizabeth Islands (formerly set apart as Gleabe for Warwick and Padgetts Tribes in the Somer Islands) are so seated, and stand so remote from the Church there, That if a minister should reside thereupon he cannot passe at all tymes, especially in foule weather and contrary windes, to serue his charge, as the duties of his place may require This court taking the same into its most serious consideracon, and intending to prouide against such inconueniencie for the future, and for the better accommodating the minister of the place, and promoting so pious a worke, wherein the hono^{r} of Almightie God, his worship and seruice, and the good of soules are so highly concerned, Doth ordain and appoint that the two shares of Land in Padgets Tribe, now in the occupacon of Thomas Brereton, being part and parcell of Three shares (heretofore leased to Nathaniell Deards) shall bee from henceforth appropriated and annexed to Warwick and Padgets Tribes in the sayd Islands, and the Company do giue, grant, and make ouer the same to the said Tribes as a gleabe for euer, To be held and enioyed by the minister for the tyme being, and so by the minister to the said Tribes that shalbe successiuely designed and appointed

signed

THOMAS MARTIN *Secret^{ie}*

10. Settlement of the Carolinas. The Copie of a Letter signed by the Kings Maiestie, October 29, 1663.

CHARLES REX

Trusty & welbeloved. Wee greet you well. Whereas Wee have made a Grant of the Province of Carolina to our Right Trusty and Right welbeloved Cousin & Counsellor Edward Earle of Clarendon, Our High Chancellor of England, Our

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[1] Bermuda was at this time visited by the Rev. Michael Wigglesworth, a pious divine of New England, author, among other things, of a poem called, the 'Day of Doom,' a versification of the Scriptural account of the Last Judgment, which was long very popular there.

'Afte^{r} y^{e} first impression of my books was sold,' says he, 'I had a great mind to go to Bermuda and . . . Providence made way for it wonderfully . . . so we set sail about the 23rd Sept 1663. It was a full month ere we got thither: by which long and tedious voyage, no doubt but I received much hurt, and got so much cold as took away much of y^{e} benefit of that sweet and temperate air, and so hindered my recovery & lost me much of that little time that I stayed there.'

Right Trusty & Entirely Beloved Cousin & Counsellor George Duke of Albermarle Master of our Horse & Captain Generall of all Our fforces, Our Right trusty & welbeloved Counsellor John Lord Berkley, Anthony Lord Ashley Chancellor of our Exchequer, and Sir George Carteret Kn^{t} & Bar^{t} vice chamberlain of Our Household, Our Right Trusty and Welbeloved William Lord Craven, Our Trusty & Welbeloved Sir William Barkeley Kn^{t} and Sir John Colleton Kn^{t} & Bar^{t}, to be by them or the assignes planted & settled. And whereas Wee are informed that divers psons under your Goverment have a desire to goe unto that place & settle their, the Country being (as wee understand) proper & fitt for the production of those Comodities for which Our other Dominions are not, and that therefore such removall will be noe wayes preiudiciall but rather advantageous to our settled plantations, by lessening the excessive increase of those Comodities which they produce, which through their abundance have abated the prices to such inconsiderable sums that our Subiects (Planters or Traders therein concerned) cannot subsist by their labour and stock employed upon the same: ffor these reasons & many others, demonstrating a benifit to our selfe & Subiects, it is Our will & pleasure, That you hinder not any free and disengaged person or psons from goeing out of the Island of Bermudas to Carolina aforesaid, upon any p^{r}tence whatsoever which is not sufficient to iustifie your refusall. And for your permission of such their departure, this shall be your Warrant. Given at Our Court at Whitehall the 29th day of October 1663 in the 15th yeare of Our Reighne.

By his Ma^{ties} Comand

WILL MORN^{R}

To Our trustie & Welbeloved the Governor of our
Island of Bermudas for the time being, or
whome else it may there concerne.

11. Observance of Nov. 5. Council, Nov. 5, 1663

Unamly Ordered, That according to the ancient & accustomed maner in these Islands, there shall be a Gunn discharged at the Mount, at the Kings Castle and the other fforts in Contemplaton of the grand Deliverance uppon the ffifth day of November &^{c}.

'After about 7 months & a half . . . I began to think it better to return home. The Lord sent us moderate weather and brought us into Charles river in 12 days . . . In some competent measure of Health.' A letter to him written by Nathaniel White from the Overplus in Somer Islands, 12th of the 7th mo., 1664, is preserved in the library of the Massachusetts Historical Society.—Sibley's 'Harvard Graduates,' 1873, i. pp. 140 and 272.

12. The Plague of London.

Edgeworth, Middlesex, Novem. 14, 1663.

Capt^{n} ffior : Seymer

These may informe you and your Councell the sad judgement that God hath bin pleased to lay vpon Engl^{d} this yeare, especially London, by reason of our sinnes The God Almightie sanctifie it vnto vs and these nations & to the whole world Wee haue waited for Bargraue's coming from Ireland, who went thither vpon his owne head, being tyed by the Articles to come directly from you to the Port of Lond : he aryued in Ireland the 17th August and is still there, as far as wee know Your Lett^{rs} sent to vs in the Porttle,[1] after aboue 9 weekes time (after his ariuall there) came to London, and now this day opened at Edgworth in Middlesex, haueing there called a court, by reason of the sickness in London But wee haue not time to answer your Lett^{rs} nor M^{r} Wentworths our Husbands, by reason euery member hath a great *call* home to his countryhouse And wee haue not had a court before this since o^{r} quart^{r} Court in Easter Term Wee haue sent vnto you this our magazin ship called the Samuel of London whereof is mast^{r} vnder God Thomas Leech, wee desire and order you to cause to be shipped vpon the said ship all our oyle, and this yeares crop of Tobacco within the space of 14 days after her arrivall with you (winde and weather soe agreeing) that soe she may be despatched from you at the end of that time That shee may be putt to sea, and with God's blessing shee may returne to England, and soe to London before the spring that many enemies are abroad And this o^{r} Lett^{r} vnto you by him now sent, shall be of as much validity & force as if he had o^{r} com̄ission signed with o^{r} seale as formerly o^{r} masters hath had, which now cannot be done by reason o^{r} seale is at London in o^{r} Courthouse that hath bin a long time shut vp.

As soone as it pleaseth God to open a way for our members to meete freely & safely, you shall haue a p.ticular answer of y^{r} Letter And all men else that hath writ vnto vs, soe wee desire you to informe them all. Wee haue sent vnto you by this ship neere 100 ton of caske, hoopes, flaggs, twiggs, cordige, things whereof a p.ticular accompt M^{r} Trott hath promised to send to you

Wee desire you to giue order to go on with the whale fishing to kill and make what oyl they may, and take a great care that all businesses be so husbanded the most frugall way for the aduantage of all the aduenturers

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[1] *Sic.* Probably portmantle or mail-bag.

13. General letter to Captain Seymour, Nov. 14, 1663.

(1) Bitter complaints are made against one Bargrave Commanding the magazine ship for his 'preposterous proceeding' in going 'without orders to Ireland, and there selling part of his freight for his own particular advantage, with some few others, as is well known to you, and us also, we having credible information of some of yourselves being adventurers in this his undertaking, to the great detriment of the Company in general.' The loss of the Company is made an excuse for not paying the ministers.

The letter proceeds—

(2) As for M^{r} William Righton and John Summersall the Elder, who hath by information been the chief Abettors and Countenancers of this Disturbance, both which persons we strictly order and Command you, forthwith to secure, and to send them over unto us, embarked in this our Magazine Ship; they both appearing by your Letters now sent to us, to have been principal encouragers of this disturbance in our Whale Fishing. And so far as by information they may be instrumental of some Mutiny in the Islands, which at this time by special Order from the Kings Majesty and his Council, we are to have special care to prevent.

14. Enactment against the Quakers. At a Generall Court held (in London) on Wednesday the 16th of November 1663.

ffor asmuch as the Court is giuen to vnderstand That seuerall persons in the Somer Islands doe refuse to appeare being lawfully summoned, or appearinge doe refuse to take their Oathe when iustly required, to the Contempt of Authoritye, the euadeing of proceedings according to Lawe And the great preiudice of psons that doe sue for their rights It is therefore thought fitt and ordered That all and euery pson or psons that frome henceforth shall bee Lawfully sumoned to appeare and to giue euidence, that shall refuse to make their appearance, or appearinge shall refuse to Testifie vpon Oath, shall for such Offences fforfeite six pounds sterl. To bee recouered by accon of debt in name of the Gouernor & Company The one halfe to bee payd to the Informer & the other halfe to the Sherriffe to be layd out for the publicke vses, and further shall suffer six moneths Imprisonment wthout Bayle or maineprize

Thomas Martin Secr.

15. Regulations concerning whale-fishing. At a General Court for the Somer Islands Company, held Nov. 16, 1663.

(1) The Court ordered, that to p^{r}uent that disorder that may happen to be in the tyme of the whale ffishinge in the Somer Islands, noe person or psons in the said Islands doe p^{r}sume to goe out with his boate to sea to the said whale ffishinge while it is in accon but by direction of M^r James Gouldinge And by order from the Gouerno^r & Councell in the said Islands, and all & euerye pson offendinge in the p^{r}mises to forfeit all & euery such Boate and to suffer sixe moneths without Bayle or maineprize

(2) Ordered that noe pson or psons in the Somer Islands Doe p^{r}sume to fish for any whale in any of the Seas of the said Somer Islands, other than such pson or psons as shall haue commissions and allowance for soe doeing by the Company Aduentureinge in the said Whale Fishinge And if any pson or psons shall take any whale or whales in or about the said Islands other than Comissioned & allowed as aforesaid Ordered that the Goue^{r}nor & Councell in the said Islands doe seize all such whales for the vse of the said Company of Aduenturers

(3) Ordered that noe pson or psons shall after the takeinge of any whale and bringinge the same to Land Offer any violence to any of the Agents or Officers imployed by the said Company of Aduenturers in the whale fishinge, nor shall directly nor indirectly breake vpp, take, cary awaie, or conceale any of the sayd whale, or any parte thereof, whereby the sayd Aduenturers may in any kind bee defrauded of the benefitt of their Aduenture[1] And all & euery pson or psons offending therein shall for euery such offence forfeite Double the value of what shall be proued against him, her or them to haue been soe broken vpp, taken, carryed awaie or concealed And further shall suffer sixe moneths imprisonment without Bayle or maineprize The said forfeiture to be recouered by accon of Debt in the name of the Gouernor & company here. And the one moyetie thereof to be payd to the informer and the other to be payd to the Sherriffe of the Islands to be layd out for the general and publicke vse

(4) Ordered that The Gouernor & Councell in the Somer Islands Doe substitute the Sheriffe in the s^d Islands for the tyme beinge, or some other fitt and able person to take care that all

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[1] The robbery in view was partly practised to obtain a coveted delicacy. Parts of the whale are to this day a favourite meat of the coloured people, and also of many of the whites of Bermuda.

things be carryed on and p.formed in the s^d vndertakinge of whale fishinge for the best advantage of the Aduenturers

Thomas Marten Secretarie

16. Restriction on ship-building. At a Quarter Court, &c., held on Wednesday, November 25, 1663.[1]

Whereas the building of shipps in the Somer Islands (if not restrayned by Law) may bee of euil consequence to the welfare of the company and Plantacon: as namely That the Timber of cedar by buildinge of shipps, will bee vtterly destroyed, That when the Inhabitants haue shipps of their owne, occasion will be giuen to steale and carry awaie the Tobaccoes and so the Company deprived of their Dutyes The magazeene shipps sent from the company wilbee disappointed of their Freight, at least entertained at great vncertaintye, and lastly the members of the Company and owners of Lands here will loose their rents and debts and in a short time their whole estates, ffor preuention thereof Bee it enacted and ordained And this great and generall courte doe ordaine and establish, That noe vessell exceedinge ffiue Tonns shall bee by any pson or psons vpon any pretence whatsoeuer erected or built in the sayd Islands without expresse order from the Company first had and obtayned, and if any pson or psons shall presume to erect any vessell within the said Islands exceeding ffiue Tons or vpwards, That vpon discouery and legall proofe of the same to be taken before the Gouernor or any of the Councell there, All and euery such vessell to be forfeited & seized and sold for the vse of the company And out of the money to bee raysed therevppon one fourth parte to be payed to the party that shall giue the information, And the other three parts to be payd to the sheriffe of the said Islands To bee layd out for the generall vse of the Publique

Thomas Marten Secret.

At the same Court.

Strangers, as New England and other shipps, are prohibited from taking wood for fyeringe from off the Publicke Lands by which meanes and vnder that Colour, the Cedar was exported

17. At a Court held November 30, 1663.

The court being giuen to vnderstand That New England and other strangers importinge wyne and other Comodityes into the

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[1] This Act must have followed some intimation of the Company's intention, having been anticipated by the Assembly (p. 193).

Somer Islands are pmitted to sett vp Boothes and Ware houses in severall places of the sayd Islands to vend their Comodityes by Retayle, To the generall p^{r}iudice of the Plantation and to the exporte of the mony there, Doe think fitt and Order, that noe pson or psons, other then the Inhabitants of the sayd Islands Doe p^{r}sume hereafter to sell by retayle any Comodityes in any place of the sayd Islands. And in case any person that is a stranger shall offend herein, That all his or her goods soe offered to sale, shall bee forfeited and Seized and Sould. The one halfe to be payd to the Informer, and the other halfe to bee payed to the Sheriffe, To be layd out for generall and Publique uses.

Thomas Marten Secretie

18. The Company to Mr. John Nicholl, Dec. 4, 1663.

M^{r} Sheriffe

After our hearty maner of comendacons &^{c}, Your Lre to vs of the 15th of Aprill last past wee haue receiued, and doe thanke you for your more than ordinary care and early and timely informacon in seuerall p.ticulars such as the duty of your place hath lead you vnto. As to what you pray in your own behalfe Wee haue taken the same into our consideracon in such a manner as wee conceiue to your present content. Wee haue ordered the sume of Tenn pounds per annum for executing the Office of Muster Master in the Islands, And haue payd to your assignes Tenn pounds for your Salarie for the same in the yeare past. Also wee haue payd vnto your assignes Tenn pounds for your sallary for the same, towards your want of servants in the last two yeares assigned you ffoure pounds and eleven shillings, the foote of your accompt money of the Companie rec^{d}, in your hands, and more nyne pounds and two shillings oweinge by Atwood and others. And for supply of your need for tyme to come Wee haue ordered to bee sent to you ffoure seruants by this shipp Now wee doe and shall expect of you, a due execucon of our comands from tyme to tyme. But principally your vtmost care and endeavour in carrying on of the whale fishinge And besides our orders to the Gouernor and Councell in that behalfe, we thinke fit to send you alsoe Coppyes of them that you may not be wanting to preuent any disorder among the Inhabi^{ts} or damage to the aduenturers through ignorance of affayres Wee haue sent you also a Copy of the Law for takeing the toll of Gun powder and shott of shipps arriueing with you, the better to execute your place in that behalfe, for further p.ticulars Wee referr you to our Gen^{ll} Letter to the Gouerno^{r} & Councell, and thus comittinge you to the protection of the Almighty wee rest

Your very louing friends
J° HEYDON Deputy

Signed by order of Court 4 Decem 1663

To our very lo. friend Mr John Nicholl sheriffe in the Sumer Islands these.

Copies of the orders in Court; dated November 16, are enclosed.

19. The Company to Captain Fl. Seymer, Dec. 4, 1663. By the 'Somer Islands Merchant.'

Captain Seymer

The Generall Letter from you and the council bearinge date in the Somer Islands the Tenth of Aprill last past, with the Acts of Assembly and severall other papers transmitted by our magazeen ship which safely arrived att the Isle of Wight the 7 June 1663, and afterwards proceeded on her voyage to Amsterdam in Holland, and since returned to London, came to our hands the 12 June aforesaid, And to your letters, and the other particulars, we returne you our answere as ffolloweth

(1) Wee do approve of and confirm what is proposed by the Generall Assembly for the settlinge of three schoole shares (besides the ffree schoole) for the Education and Instruction of the youth of the Islands in Learning and Arts—viz one at the chappell at the overplus, one on a share of the ffree school Land in Warwick, and one other schoole at Bayleys Bay in Hamilton Tribe, which wee have setled thus.

The rents of the Schoole Shares, being eight in numbers, besides the two Shares in Devonshire Tribe, in the occupation of Percivall Gouldinge, amountinge to Eight hundred pound of Tobacco, wee have proportioned to be payd by the respective Tribes

To the Schoolmaster that shall be placed at the Overplus, Two hundred sixtie five pounds of Tobacco per Annum.

To the Schoolmaster on the Share of land in Warwick Tribe, Two hundred sixtie five pounds of Tobacco per Annum.

Mr Hugh Wentworth holding the said share by Lease from us, is bound by Covenants to erect within the space of . . . . yeares att his owne charge a compleate Schoolhouse thereon of two roomes, one of them with a Chimney, each roome conteyninge ffoureteene foote in breadth and sixteene foote in length, with tables, benches and other necessaries thereunto belonginge, and to take wood from off the said share onely for effectinge thereof, but not otherwise.

To the Schoolmaster at Bayleys Bay in Hamilton Tribe Two hundred Sixtie eight pounds of Tobacco per Annum.

And wee have Ordered that the Inhabitants of Smiths & Hamilton Tribes respectivelie, doe at their owne cost erect a Schoole house there, and keepe the same in good Repayre, and have Timber for soe doeing from off the publique Landes.

ffurther wee have Ordered, that you the Governour & Councell doe nominate & appointe three well quallified persons to bee School Masters, and settle them accordingly till further orders, that the Sheriffe of the Islands (for the tyme beinge) doe gather the rents of Tobacco from those who are to pay them, and deliver the same out to each Schoolmaster according to his proportion, and that all or any of the Schoolmasters may (if they please) accompany the Sheriffe to see the same accordingly done.

. . . .

(2) The Acts of the Generall Assemblie wee fynde upon perusall soe imperfectly drawne and imperfect in the penning as not fitt for our p^{r}sent Confirmation as you shall hear more from us in this respect hereafter

(3) Wee haue according to your more than ordinary request to us for sending another minister, being of ourselues also most passionately desireous to complete the number for an exact survey of all the Tribes, Chosen and appointed M^{r} Henry Vaughan Master of Arts of the Universitie of . . . . by our com̄ission to perform the Office of a minister to Warwicke and Padgett Tribes, and wee desier you to receiue and entertaine the said M^{r} Vaughan with all respect and encouragement befitting his calling, and wee take notice of the favours and ciuilities of Capt Sayle (when Gouernor) and the Inhabitants to M^{r} Sampson Bond, who in his letter to vs with expressions of much thankfulnes doth owne and relate the same for which wee also thanke them, and further doe pray you the Gouernor and Council to afford vnto all the ministers (as opportunity shall call for at your handes) that countenance and respect which may with cheerfulnesse encourage them to discharge the Dutyes of their places, and wee hope wee need not presse this vpon you having had soe fresh a testimonie of your demeanour.

(4) We haue appropriated and annexed to Warwicke and Padgetts Tribes, in quality of a Gleabe, one of the Publicke shares in Padgetts Tribe in the occupation of Thomas Brereton. And haue giuen to same to the said Tribes for euer To be held and enioyed by the minister for the tyme being. . . .

(5) Wee have Ordered that M^{r} Vaughan shall have provided

for the accomodateinge of him & his family. a Cisterne of Tarris at the Companies charge, if there shall not be a convenience of water upon the place of his settlement.

(6) We have payd all Sallaryes due to Mr White, Mr Abercrombie, Mr Bond & Mr Smith Ministers, of which you may take notice. Wee have according to your desire sent over Lex Mercatoria[1] & Doltons Justice of Peace to bee for Generall & Publike uses.

. . . .

(7) Whereas in your last to us, you propose that the Platforme of Southāton fort may be perfected, and the designe of buildinge a Stone Wall about the Kings Castle waved, in regard there will not be mony enough uppon Capt Sayles Accompt, to performe the same, although wee had formerlie written to make it upp fiftie pounds. Wee being of opinion, that the Castle Wall (when finished) will bee a worke of lasting service. Doe order that itt bee carryed on and compleated, and for the other, that itt be done at the Countryes charge, as wee had Ordered the last yeare, and soe intimated in our Genll Lettr.

. . . .

(8) Wee shall not allowe of the Accompt of Capt Sayle wherein hee chargeth Tenne pound as paid to Doctor Thomas Browne sometymes Minister in the Islands, in regard the Company had formerly payd what ever was due unto him. And whereas the accomptant maketh a rest of ffive pounds eleaven shillings in his hands, we have ordered that hee pay over the same unto you Capt Seymer, for the Compēs use.

(9) Wee have taken into our Consideration the request of the Genrall Assembly in the behalfe of Capt Josias fforster, recomendinge to us his weake & aged estate. To the end wee might grant him some support & reward for his long past services for the Company &c. And wee doe hereby signify unto you, that the Company by reason of vast expenses of late in sendinge over Ministers, paying their sallaryes, satisfyinge of many old debts & otherwise, are nott att prsent in a capacitie to bestowe Gratuities, which if they were, Capt fforster should be among the first ranke of obiects in that kind. But in due, that is in short tyme, itt is hoped they may bee enabled in a bountifull manner to answer the request.

(10) Wee have payd unto Mr Viners widdow Twenty pound, Also unto Mr Hoopers widdow Twenty pound, in full of all Salleryes due to their deceased husbands, respectively, in the

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[1] Consuetudo vel Lex Mercatoria, or the Ancient Law Merchant. In three parts, according to the Essentials of traffic. By Gerard de Malynes, Merchant. London: 2nd edit. 1656.

tyme they officiated in the Islands as Ministers, of which you may take notice.

. . . .

(11) Wee have sent you over a Law against buildinge of Shipps in the Islands above ffive Tonns, which wee would have published, that all may take notice.

. . . .

(12) ffor severall reasons, but principally to prevent the Gluttinge the Markett, and thereby the losse of the sale of the Tobaccoes, wee have Ordered That the Inhabitants shall not, under Colour of any order formerly granted, Shipp away the Tobaccoes of the growth of the year 1664, untill the ffifth day of Aprill 1665. But in case by that tyme no shipp sent unto them from the Company shall bee arrived at the Islands, then they are left att liberty to shipp in what vessell they shall thinke fitt, first secureinge the Companies Dutyes. And wee require you the Governor & Councell to take more than ordinary care, That in the meane tyme noe Tobaccoes be exported out of the Islands.

(13) The amun̄ion which you shall receive by the Shipp are

Tenne Barrells of Gunpowder
ffoure Drums.
Twentie fower Drum heads & three payre of Drum sticks.
A hundred or more of great Shott of all sorts.
One hundred of Musquetts with match locks.
ffive Loading staves.
Seaven Partizans.
Eight Halberts.
One hundred Carthridge boxes.
One hundred & fifty Girdles.
Halfe a Tonn Iron.
Halfe a ffagott of Steele.
And a hawser for the Castle boate, which you shall receive by Capt Jenkins.

. . . .

(14) The Inhabitants of the Islands haveinge generally refused to Joyne in the Adventure of Whale ffishing (save some few persons excepted) who had given their order to others of you, now with us, to subscribe and pay on their behalfe. And wee haveinge given notice to all our Members here in England of the said undertakeinge, and many of them alsoe refuseinge. The said Adventure is nowe by the helpe of the Right hono^{ble} the Earl of Manchester o^{r} Governor, of the Right hono^{ble} the Earle of Devon, of our Deputy, and about 40 other Members of the Company fully concluded and setled. And in that respect the pportion of the Adventure to each person Adventuringe being the larger, and the losse more considerable, if the undertakeing should not take effect. Wee doe therefore require you as you respect our authoritie, or tender our welfare, to observe with all

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exactnesse our Orders & Cōmands in that behalfe as by the enclosed Copys you will pceive, and take especiall care to put them accordingly in Execution, for this end wee require the Sheriffe to be attendant on you the Governor and Councell more especially in the tyme of the Whale fishinge.

(15) Wee have appointed Mr Hugh Wentworth by Cōmission from us to execute the place of Husband in the Islands on the behalfe of the Adventurers about the Whale fishinge. And in case of Mortallitie Wee do hereby give power to you the Governor & Councell to substitute a Husband with the like authority, hee first giveinge Bond in the Sume of Two Thousand pounds, that hee shall & will render a Just & true accompt of his office & Imploymt & deliver upp all bookes, Accompts, money, goods, impleyments, & rights whatsoever, that shall or may come to his handes or shall or may in any wise belong to the Governour & Company Adventureinge in the whale fishinge to the Sōmer Islands. And that his Executors & Administrs shall & will yforme & give the like Accompt when they shall bee thereunto required . . . .

(16) Wee have nominated chosen and appointed officers for the Islands as ffolloweth viz.

Captain Fflorentius Seymer Deputy Governor and Captaine Generall of the Somer Islands To whom wee haue sent our Comission of *re-appointmt* to the place for the space of two years to commence when the said commission shall come to his hands. Mr John Nicholl wee haue continued sherriffe Mr Henry Tucker Secretary.

Councellors

Capt Wm Waylet for Sandys Tribe
Captn Thos Richards for Southton Tribe
Captn Charles Whittenhall War: Tribe
Mr Thomas Wood for Pembrooke Tribe
Mr John Rawlins for Padgetts Tribe
Mr William Peniston for Smiths
Captn Geo Hubbard for Deuon
Captn John Hubbard for Hamilton

Then follow the Captains of four Forts, of five Trained Bands and John Bristow, Marshall

Signed MANCHESTER Governor
Jo HAYDON Deputy
London 4 December 1663 and 11 more

20. At a Quarter Courte &c held on ffriday the 4th December 1663.

Ordered that a late Order of this Company (a Copie whereof

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was transmitted into the Somer Islands the last yeare) for advancing the price of Peeces of Eight, be in respect of severall inconveniences which are like to ensue thereby, wholy abrogated and repealed.

(Signed) THOMAS MARTIN
Secretary

21. At a Quarter Court ffriday 4th December 1663.

Ordered that the Governor & Councell in the Som̄er Islands doe cause strict search to be made for all Bookes, Globes and other thinges belonginge to the Publicke Library, whether in the hands of Mr Norwood or any others, and take an exact catalogue of them, and returne a true copie thereof to the Company here, and cause them to be kept together in some publicke place, unless they the said Governor & Councell shall thinke fitt to dispense with any person or ysons to have them in Custodie to make use of them, hee or they giveing security to returne them upon demand in as good condition as when they received them.

THOMAS MARTEN Secretie

22. At a Council Table, March 21, $166\frac{3}{4}$.

The Honorble Companie (ffor and in behalf of some Members Adventureing uppon the promoteinge the designe of taking Whales in or about these Islands) haveing by their late Order of Court and by their Geñall Letter, recom̄ended the aydeing, assisting and adviseing Capt James Goulding, William Wilch & Miles ffrith to be harpooneers in that designe and undertake, and the same to be put in practice and prosecuted by them at such time and seasons as to the Governour & Councell and them may bee conceived most com̄odious & advantagious. The Governor & Councell hath thereuppon unanimously Concluded & Ordered, with the free consent of the aforesaid Goulding, Wilch & ffrith, that they, with their Boates completely now gauged & fitted, doe begin the Interprise aforesaid to morrow the 22nd of this instant March, and the same carie on (as winds and wether shall pmitt) untill Twentie daies (together) shall bee ended. And the said Boates Gangs to receive pay of Mr Hugh Wentworth (Husband for the Adventurers) as hee and they have agreed.

23. The Company to Captain Seymour, April 1, 1664.

Capt Seymer

(1) Your of the 4th Julie 1663 wee have received, and by your last of the 14th August, with the copy of your former of

the 4th Julie wee are certified of yours & the Islands helth & prosperity with hopes of a plentifull crop of Tobacco. This Letter wee have sent you by the hands of Capt Phillip Lea in the Shipp called the Thomas & Elizabeth of Yarmouth, who hath our Com̄ission to bring from the Islands any Comodity (Tobacco & Cedar excepted). And wee being loath to hinder the voyage, or preiudice Capt Lea (who not being able to get Suretyes for a greater sum̄e) have taken Bond of 300^{ls} only for true performance. Wherefore, and in regard of our Chartparty & Articles to the Master & Owners of the Shipp Sum̄er Islands Merchant which wee would not in the least to have infringed, Wee do hereby strictly charge & require you That you suffer not (upon any pretence whatsoever) any Tobacco or Cedar to be exported in this ship Thomas & Elizabeth, save only 10 rolls of Tobacco of 20 pounds weight a piece for the Ships Company, and wood for dunnidge & kentellidge,[1] and for fiering to be spent in the voyage, the last wee have granted to be taken from off the Publicke Lands in the Islands but wthall proportionable to a ship of 70 Tons or thereabouts, and such as you the Governor shall sett out & appoint. ffurther wee have granted to Hugh Bascawen Esq^{r} (a worthy member of our Company) lycence to transport in this or any other Ship ten Tons of Cedar to be taken & felled from off his owne Lands in the Islands and to be employed for his owne ppr use only, and not otherwise, his Agents producing to you our Order for transport thereof. And to the end that the pticulars above named may be exactly performed Wee doe require you & your Councell that you put aboard this ship all the tyme of her lading with you, two honest & able men (upon Oath) to watch the Ship day & night and diligently to search her at her coming out so that no Tobacco or Cedar may be brought away but what is allowed as above; And if you shall find any otherwise shipped, that you seize & secure the same and send us an accompt thereof by your next. And wee shall take care that the men so to be put aboard shall be paid by us what in reason they shall desire.

(2) Wee thank you Capt Seymer for your frequent advertizing of us by Letters of the state of the Islands and doe pray you to continue so doing as often as opytunity shall serve. As soone as Capt Jenkins shall, (by the blessing of God) returne for England you may expect another ship speedily to be sent out from us to you, for conven̄cy of transport of passengers, and to bring away the next Crop of Tobacco to the most likely markett.

(3) As wee had written unto you formerly, so wee do hereby

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[1] Dunnage, kentledge—timbers laid in a ship's hold to stow cargo upon, or as ballast.

againe require you & your Councell to use your utmost endeavours, That the whole last years Crop of Tobacco, or so much thereof as can be taken aboard, be laden upon the Somer Islands Merchant John Jenkins Com̄and^{r}, And wee hope that the planters have not made such Tobacco, that they dare not adventure to ship it hither on their owne accompt if the merchants there shall refuse to buy it. And if any persons shall wilfully refuse so to do, that you take especiall care that such Tobacco be not shipped in any other ship, neither any Tobacco of this yeares Crop untill the returne of our Magazeene ship which you may expect with you, by the blessing of God, in the middle of Aprill 1665 or sooner. And as in our last Gen^{r}all Letter wee gave liberty to the Inhabitants to ship their Tobacco of this yeares growth 1664 on any ship after the 15th of Aprill 1665 in case our Magazeene ship should miscarry or no ship be sent from us to arrive with you by that tyme, They secureing the Companys dutyes after 1^{d} per lb for the Tobaccoes. Soe wee shall expect an exact performance of that our order, and a good accompt to be rendered by you in that behalfe. And thus Com̄itting you to the protection of the Almighty wee rest, Your ever loving friends

J. Haydon, Deputy. Nathaniel Smith
London William Graves. John Wright.
1st Aprill 1664. James Browninge. George Day.
Samuell Smith.

Postscript

Wee have taken into our consideration the severall charges of Capt Lea against Capt Sayle with the severall Depositions & defences thereto, and have ordered upon the whole, That all proceedings at Law or otherwise for any matters charged by Lea last yeare, Do cease untill further order from the Company.

J. Heydon, Deputy.

24. Earthquakes being very rarely experienced in the Bermudas, the following incidental notice of one possesses a special interest. Southey[1] records one which did considerable damage at St. Christopher's in this year, but omits the date:—

> Upon the 25th day of June Anno 1664 being the Sabbath day, at 9 of the Clock of the forenoon, there was a great and fearfull Earthquake which did shake churches and Houses, yea and the hearts of men too.—(Records of Port Royal Parish.)

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[1] 'Chronological History of the West Indies,' ii.

25. At a Council Table holden at S^t^ Georges April 19 1664.

Mr Hugh Wentworth, Husband. Propounding to the Gouernor & Council in behalfe of the Aduenturers vppon the design of Whale fishing, to giue him aduise

Imprimr Whether the Whale fishing shalbee prosecuted, or not: and whether the Harpooners shall imediately begin the said undertaking or not

It Whether Mr James Sayles Pinnall shalbee employed vppon that undertaking as formerly or not

The aforesaid proposalls having bin taken into serious Considderation. It is unanimously thought fitt, That the proseede aforesaid, bee forthwith sett on foote & prosecuted.

That in regard Mr James Sayles Pinnase is conceived to bee more unhandie & unfitt for the attending the ffishing Shallops in the prosecution of their takeing of Whales, then a Shallop, (the which in a calme may be rowed with more facilitie then the aforesaid pinnase, and soe bee per consequence, more aydeing & advantagious in that designe then the pinnase aforesaid.) The employing of a smaler shallop or not employing one to be ayding to the fishing Shallops aforesaid, is wholy left to the discretion of Mr Hugh Wentworth himselfe, Husband.

26. By the Governor. A Proclamation. May 7, 1664.

Whereas the afflicting hand of the Almighty hath bin iustly, as well as lately, stretched out against us and most of our ffamilies by sicknes and distemper of bodie, which is not yet wholie abated. And I, haveing very lately received Christian premonition from our reverend Ministers, for the averting & absolute remoeving (if the Lord shall soe please) thereof. By appointing and setting apart a daie of Humiliation (the sovaraigne remedy for cureing any Epidemicall sicknes & distemper.) These are therefore (in discharge of my dutie, and in psuance of their desires therein) to Will and require all, and all manner of Inhabitants of these Islands, to repayre to the respective Churches whereatt the severall Ministers shall think fitt to appoint; there to meete uppon Thursday the 12th of this instant Moneth, then and there duly and humblie to attend with them the worke of that day, more especially at the Church and in the tyme of meeting aforesaid. Whereof all manner of persons are hereby in his Maiesties name charged and Comanded to take notice and to yeald a redie observation of the day and duty as aforesaid, (intended & sett apart for the glory of our

Maker, and our spirituall and temporall good,) as they will answer the contrary at their perills. And wholly to refrayne from all manner of bodilie labor and superflous acting, speaking, or doeing that whole day.

Given under my hand the 7th of May 1664

Fflor. Seymer

27. At the Assizes, July 3, 1664.

The Grand Inquest haveing presented severall persons resident in the pticular tribes, and in St. Georges Parish ffor their declineing to cum to Church on the Saboath day, And more especially these underwritten persons with a note of distinction for absenting themselves constantly from the Church on the Lords day, more out of slothfulnes and debochednes then for any other cause whatsoever (videlct),

Of Sandis Tribe
  John Loe & his wife.
  George Davis.
  Richard Jefferies.
  Nicholas Spenser.
  Walter Puncher.
  And the maior^y of the servants.
Of Southampton Tribe
  M^r Will Caxon & his wife.
  John Sanders.
  John Mekenny & his wife.
  John Huett & his wife.
  Lewis Evans & his sonne.
Of Pagets Tribe
  Richard Kittleburroe
Of Warwick Tribe
  John Bently.
  Dorathy Gaplin.
  John Servant.
Of St. Georges
  Thomas Bayley
Of Tuckers Towne
  John Browne & his wife
Of Hamilton Tribe
  Will Nelmes Jun^r
  John Bedo

It is thereuppon unanimously concluded that if persons com̄only called Quakers, or those whose names are here resited, shall absent themselves from Church on the Sabboth day for the future (after one Admonition) they shall be proceeded against according to the Law, by paying 12^d per day for every Saboth day they shall be absent, as aforesaid, And distress to be made as occasion shall present, for the same.

Robert Varnell Sen^r, Nicholas Spenser & Richard Jefferies of Sandis Tribe, presented for being Comōn Drunkards, and extrem scandalous livers.

Censured to be made Infamous persons.

28. By the Governor. A Proclamation. July 26, 1664. [Commences with the denunciation of vice and immorality in formal terms, which are already familiar, and proceeds :]

The Representative of our whole Islands haveing implored our speedily suppressing the insolent languages & cariages of the Negroes amongst us. We have thereuppon thought fitt and ordered, (for the satisfaction of all the Inhabitants.) That, (according to the Hon^ble^ Companies late order) all such able bodied ffree Negroes of these Islands as shall not make provision and engage to depart these Islands forthwith with Capt John Stowe, they shall be enforsed imēdiately after his departure, to spend the remainder of their daies with such Masters or Mistresses as myselfe & Councell shall think fitt to appoint. And that they shall be in all respects annumerated & reckoned amongst all other Negroes brought into these Islands, and bought by any of our Inhabitants. And such other Negroes as have spent the strength of their youth amongst us, but now are become uncapable of labour (or shall be hereafter, It is thought fitt and ordered, that their last Master shall provide for them such accomodations as shall be convenient for Creatures of that hue and colour untill their death. But for such Negroes as shall bee soe hardie & audatious as to dare to rise upp against their Masters, or any English person or ysons whatsoever, (as som of late have dared to doe both in words & deeds.) It is unanīsly concluded. That such Negroe or Negroes shall be speedily tryed, Convicted & Executed by a Councell of Warr. And a speedie colleccon made to the value of each delinquent that shall be executed, according to the Judg^t^ of the Gover^r^ & Councell for the time being. To be levied proportionably amongst such Masters through the whole Islands as have Negroes, at soe much y hedd in each family, according to a Bond (speedily to bee drawn upp by the Secretarie) to be left in the hands of the Counsellors of the respective Tribes, the same to be formally signed before them the said Counsellors. And as for such Masters as shall refuse to subscribe & submitt to this afore resited Motion & Determination, they are hereby to take notice, that if any such Negroes as are in their Custodies shall mutinously rebell, rise upp against in an hostile manner, and draw bloud, or destroy any English person whatsoever hereafter, they are not to expect any manner of releefe for the loss of their Negroe or Negroes offending as aforesaid, and executed; As those that shall subscribe shall have and enjoy. And in the interim let all Officers, Masters of Negroes or others in these Islands, take notice, that whatsoever Negroe for the time to come, be mett withall by night or by day in any other Tribe then where his or their aboad is without a Tickett (unless they bee waiting on their Master or Mistress uppon the Saboath day or other) they shall lie lyable to be forthwith whipped by any Officer, or such other person as hee shall appoint. Hereof I doe straightly charge & Com̄and all Officers and others whatsoever to take notice and act according to the premises, as they will tender their owne good and the Generall good of us all, for the further and future promotion of Gods Glory, and the peace and happines of all persons, both publicke & private in these Islands.

Given under my hand July the 26th 1664.

FFLOR: SEYMER.

29. At a Councell Table held at S^t Georges, the 17th day of August 1664.

Unanīsly Ordered. That if Josephus the Mungrell Chirurgian shall persist in frequenting the house or society of the Widdow Marie Long, that soe often or when soever hee the said Josephus & Marie aforesaid shall bee found together (especially after one Admonition given unto her to refrain his society) that they shall, both of them, lie liable, by the Counsellor of Devonshire Tribe, to be whipped according to this order, as hee the said Counsellor shall think fitt. It being further Ordered that the said Josephus doe provide for his departure out of these Islands by the seventeenth day of November next ensueing. And that Capt George Hubbard doe demand & receive of him One pound fifteene shillings sterl, for the use of Edward Graseburies daughter, of Hamilton Tribe.

30. Indictments of Negroes for serious offences.

(1) The Jurie for our Soveraigne Lord the King doe present Peter a Negroe man, servant of Capt William Waylitt of Sandis Tribe, for that he the sayd Peeter not haveing the feare of God before his eyes, did, in or about the 24th of Julie last past by force of Armes, contrary to the peace of our Soveraigne Lord the Kinge, enter into the Boate of William Burch of Sandis Tribe, as shee lay at Roade in Hogg Bay, and the sayd Boate with her Masts, Sayles and other app^{r}tenances to her belonging, did take, steale and convay away. Which sayd Boate and fur-

niture is prised at 50$^{s.}$ Which sayd practice of the aforenamed Peeter, is contrary to the peace of our Soveraigne Lord the Kinge, his Crowne and dignitie, and contrary to the forme of the Lawes and Statutes in that case provided.

On which Indictment the aforesaid Peeter was, by a Jurie of 12 sworne men found Guiltie (although hee did not, or rather would not, plead Not Guiltie &^{c}) and executed at Coblers Island the 22nd day of the aforesaid Moneth.

(2) John or Jonne, the Negroe servant of M^{rs} Anne Kennish of Southamton Tribe Indited formally at the same time (hee the said John or Jonne being Consort with the aforesaid Peter, Capt William Waylitts Negroe servant) was likewise found guiltie by the Jurie of 12 sworne men aforesaid, And the sentence of death was likewise pronounced against him. But the Governour in mercie was pleased to Reprieve him, and uppon the Sheriffs motion, made executioner for Negroes for the time to come

(3) The Indictment of black Mathew, the negroe youth of John Welch of S^{t} Georges parish.

The Jurie for our Soveraigne Lord the Kinge doe present black Mathew, a Negroe servant youth of John Welch of S^{t} Georges, for that hee not haveing the feare of God before his eyes, did, perforce of Armes, contrary to the peace of our Soveraigne Lord the King in or about the 20th Julie last past, breake in and enter into the dwelling house of M^{rs} Hanna Hollowaie of the parish of S^{t} Georges. And the said Hanna Hollowaie per him the said Mathew, was much affrighted. All which is against the peace of our Soveraigne Lord the Kinge, his Crowne & Dignity and Contrary to the forme of the Laws & Statutes in that case provided. The aforesaid Mathew was likewise formally Indited, for that hee did, by force of Armes, contrary to the peace of our Soveraigne Lord the Kinge, feloniously break out of the Com̄on Goale, all which is against the &^{c}

To which Indictment hee pleaded Not Guiltie, and for his Troyall put himself uppon God and the Country, which Country beeing a Jurie of 12 Sworne men found him Guiltie. And hee was accordingly Executed at S^{t} Georges the 22nd day of August, and his hedd (by the Governours order) severed from his bodie & fixed uppon a poles end at Stocks Point.

31. Death Warrants addressed to the Sheriff, August 19, 1664.

To M^{r} John Nicoll of Som̄er Islands. By the Governor.

(1) These are to will & require you, and in his Maiesties Name to Charge and Comand you, that uppon receipt hereof,

you cause black Peter to bee convayed from the prison unto the place of execution at Coblers Island, and there to be hanged untill he bee dead, according to the sentence pronounced against him at the last Sessions & Goale deliverie held at St Georges ffor which your soe doeing, this my warrant shall be your sufficient discharge.

Given under my hand at St Georges the 19th day of August 1664.

And it is further Ordered, that after the execution of the said Peter, that his head be severed from his bodie, and his head fixed uppon a spicke uppon the topp of the Island to the terror of all slaves that shall hereafter attempt the like feat and offence

FFLOR. SEYMER.

(2) These are to will & require you, and in his Maiesties Name to Charge and Com̄and you, that uppon receipt hereof, you cause black Mathew to be convayed from the prison to the place of execution, and there to be hanged untill hee be dead, according to the Sentence pronounced against him at the late Sessions & Geoale delivery, ffor which soe doeing, this my warrant shall be your sufficient discharge. Given under my hand at St Georges the 19th day of August 1664

FFLOR. SEYMER.

32. Reprieve on condition of becoming executioner.

To Mr John Nicoll Sheriff of Som̄er Islands. By the Governor.

Whereas you have humbly requested the reylievall of John or Jonne, condemned at the last Session of Goale deliverie, held at St Georges, to be executioner for other condemned Negroes now or hereafter to be executed. These are therefore to authorize you (uppon your aforesaid request) to reprieve the said John or Jonne, and him to take for to be the publick executioner for Negroes. And for your soe doeing this shall be your sufficient Warrant. Given under my hand at St Georges August the 22nd 1664.

FFLORENTIUS SEYMER.

33. An act of Spanish aggression on the High Seas, September the 8th 1664.

(1) The Attestation of Thomas Shaw Master of the Vessell Burmoodians Adventure Sworne Saith, That in his last voyage

home to Som̄er Islands in his aforesaid Vessell Cuming thorow the Gulf the first day of August last past, Two Spanish Vessells chased his aforesaid vessell, And after one of them overtooke him, he the sayd Shaw was Com̄anded aboard, and the Spanish Com̄ander findeing Two Indian men (which M^{r} Anthonie Peniston had bought of Thomas Stedman of Jamaica) aboard the Bermoodians Adventure, The Spanish Com̄and^{r} said that those Indians were the King of Spaines Subiects, And withall tooke them from aboard the aforesaid vessell and carried them awaie with him. And further saith not.

Thomas Shaw.

Test Henry Tucker Secretie

(2) James Newbold & Timothie Grasburie Mariners have averred upon Oath that the above mentioned Indians were taken into the Bermoodians Adventure at the Chiamanas, the which Indians were shipped by M^{r} Anthony Peniston aboard the vessell aforesaid, but were taken away by a Spanish Com̄ander, and the Spanish Interyt^{r} did say that they were the kinge of Spaines Subiects. And sayd likewise that they that sould them had nothing to doe with those Indians to Sell them. And further &^{c}

James Newbold.
Timothy Grasburie.

34. That the fair Bermudians of this period by no means neglected their personal adornment may be gathered from the stock of a mercer, which comes hereabouts to be appraised, and is sworn to Sept. 20, 1664. Plate-lace at 5*s*. 6*d*. per yard was probably provided for the uniforms of the officers of Trained Bands, as may have been camilets at 4*s*. per yard. Silk at 3*s*. 4*d*. a yard sounds feminine, as does black and yellow ribbon 2*s*. per yard, mingled-coloured satin ribbons 10*d*. and 1*s*., silk-coloured taffeta, violet and crimson taffeta ribbons at 8*d*., straw-coloured satin ribbon at 6*d*., silk and silver buttons at 1*s*. a dozen; in short, almost all the items which compose the stock, down to two dozen trenchers valued at only 1*s*. 6*d*. (perhaps for 21*s*. 6*d*.) Cheaper finery, however, was to be procured in loose lace at 1*d*. per yard, and statute lace at ½*d*. per yard. Glimpses of domestic life are so rare that it is perhaps not too late to revert here to one of Roger Wood's letters,[1] which

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[1] No. 86, probably dated 1634.

proves that the maidens of Bermuda did not adorn themselves in vain. He is referring to one Trussell, a passenger blown up in the 'Sea Flower,' whose wife and children, being ashore, escaped his fate, and the widow afterwards married one Peter Lane. By whom, he proceeds,

> having no children, this base knave grudged every bit of bread or potatoe her daughters put into their mouthes, beeing two very pretty girls, being the eldest whose name is Sally Trussell my wife took into my house some 4 yeares past, and nourished her as her own daughter. And myselfe taking notice of the conditions of the mayde beeing not 16 years of age, and a handsome wench, I married her to my wifes sisters sonne called John. A pretty ingenious young man as is in these Islands, and by trade a Shippe Carpenter and a good workman. They were married on the 28th January last, and she was the prettyest bryde that I ever saw in the Som^{r} Islands. To whom I promised before marriage the first cowe calfe I have for stock for her. . . .

35. A Notarial Protest, Sept. 26, 1664. Somer Islands als Bermuda.

Capt John Jenkins Com̄and^{r} of the good shipp Somer Islands Merchant of London now riding at an anker in the Castle Harbor in the Islands aforesaid, Hath appeared before me Henry Tucker Secretie of the Islands aforesaid And in my office in behalfe of himselfe and of the owners of the aforesaid Shipp, Hath formally entered a Protest in manner and forme following the 26th day of September in the Sixteenth yeare of the Reigne of our Soveraigne Lord Charles the Second of England &^{c} Kinge An^{o} Dom : 1664.

Imyis. I doe Protest in the behalfe of myselfe & Owners of the Shipp aforesaid against the Hono^{ble} Company of Adventurers for the Som̄er Islands, ffor all damages that wee shall receive by the non-performance of their Contract, which is, That wee should have all the Tobacco of the growth of Som̄er Islands aforesaid made in the yeare of our Lord One Thousand Six hundred Sixty and three.

2^{ly} I doe prtest in behalfe of the Hono^{ble} Company against the Inhabitants of the Som̄er Islands, or as many of them as shall refuse to Shipp their Tobacco on board the shipp Som̄er Islands Merchant In that they doe hereby make the Hono^{ble} Companie uncapiable of performing their Contract with mee and with my owners aforesaid, And also uncapiable of supplying the aforesaid Islands with amunition and other necessaries fitt for the accomodation and defence of the said Islands. And alsoe uncapiable of paying the Ministers of the Gospell in these Islands their Salaries.

3^{ly} I doe Protest in the behalfe of his Maiestie, the Hono^{ble} Company, myselfe and Owners aforesaid against the Deputy Governor now resident in these Islands and his Officers, for all Tobacco that they shall suffer to goe out of these Islands after the departure of the Shipp Som̄er Islands Merchant without Lycence from his Ma^{ties} Custome house in London, and also from the Hono^{ble} Company Comissionated soe toe doe, by their Legall Seale.

In Testimonie of the formall performance of the premises by Capt John Jenkins the Com̄ander of the Shipp Som̄er Islands Merchant the 26th day of September An^{o} Dom 1664 aforesaid, I have hereunto sett my hand in my office at S^{t} Georges in Som̄er Islands aforesaid

Henry Tucker Secretarie.

36. An example of Merchant Shipping Law. Som̄er Islands als Bermudas, December 7, 1664.

Whereas Josuah Maye of Redriff in the Countie of Surrey, Comander of the good Shipp ffriendshipp of London, did shipp upon the aforesaid shipp, in order to the performance of A voyage to the Cape de Verde Islands, and Barbadoes and other port or ports in America, A Company of men whose names are underwritten, at the Monethly wages there spesified. And that after the Deliverie of our proceede of our Cape de Verde Islands voyage at the Barbadoes, And being, according to our orders, bound for New England, was, by extremety of wether forsed uppon the sholes of Bermudas, And there unhappelie Cast away uppon the 16th day of October 1664. Whereupon the Shipps Company of men have required & demanded their severall wages of mee the sayd Josuah Maye. And in regard of loss of the shipp and the maior pt of her takle and her furniture, am altogether uncapiable of answering their demands. I have thought fitt, after serious Consideracon and good advice, to Certifie unto the Gentlen the Owners of the sayd shipp, or else whome it may Concerne, That these men under nominated, Served uppon the said Shipp from the 9th day of May 1664 till the 20th day of September last past, Our Cape de Verde voyage being then performed. In Testimonie of the trueth hereof I have signed this Writinge in the presence of the Hono^{ble} ffiorentius Seymer Govern^{r} of Bermudas, and the Worsh^{l} Henry Tucker Secretarie of this said Island, this 7th day of Decemb^{r} 1664

Signed Joshuah Maye

	li	s	d	
Samuel Duinge Mate & Chirurgian . .	3	3	0	pr moneth
Charles Staplin Carpent^r^ for . . .	2	3	0	,,
John Mansfild boteswaine for . . .	1	10	0	,,
George Parr Gun^r^	1	6	0	,,

and 7 seamen at 18*s* to 24*s* per month

FFLOR SEYMER Governo^r^ HENRY TUCKER Secretie.

37. At a Councell, 9th May, 1665.

The Governor about the middle of Aprill last past, being then informed by credible persons, that some of the Inhabitants were providing to goe out to sea with a Boate fitted for the takeing of whales, contrary to the Companie of Adventurers for Whale fishing express order. Hee thereuppon published a Declaration tending to the dehorting the Inhabitants persevering in that their unwarrantable undertaking. Nevertheless some refractorie spiritts have (poynt blank contrary to the second branch of the said Companies Order) presumed, uppon the third day of this instant May, to goe out with the aforesaid Boate at the West end of these Islands, and have taken & brought in a whale of about 20 foote in length, as hath bin iudged and confessed by the underwritten delinquents, and the same have subdivided & carried away. The premises therefore, haveing bin taken into serious consideration by the Governour & Councell aforesaid, The said parties have bin unanimously censured to restore the produce of the blubb^r^ of the Whale by them taken, and it to accrue to the benefitt of the Companie aforesaid. And by pluralitie of voices the said psons are censured to lie in prison one complete weeke for their acting as aforesaid.

M^r^ James Sayle, Seth Place, Samuell Somersall,
Nathaniel Pinder, John White, Thomas Tailur,
Nicholas Spencer, Jun^r^, Abraham Atherlie.

Censured (as followeth at the time and place aforesaid.)

By the Secretarie, for their slighting the Governors Dehortation formally published, to lie in prison three daies. And to restore the produce of the Blubber of the whale by them taken, to the Sheriffe for the use of the Adventu^rs^ for Whale fishing.

By Capt Jo: Rawlings the sherrif, and two more to lie in prison one complete weeke, and to restore the produce of the Blubber according to the Secretaries Censure.

By Capt Thomas Richards, to lie in prison 6 daies, and to restore the produce &^c^.

By Capt Charles Whetenhall and two more to lie in prison one moneth, & the Companies Rights to be by them restored, or else to lie in prison 6 moneths, with the remark that according to the first branch of the Companies Order, they deserve to lie in prison 6 moneths without Bayle or Mainprize.

The Governor's censure is for one month's imprisonment with restitution.

38. Articles of agreement concerning the sale of an Indian slave, May 23, 1665.

Know all men by these presents That I Capt Robert Downman of Stonehouse in Devonshire Mariner. ffor and in consideration of a Shallop sufficiently fitted with Masts, Sayles, Owers & Rudder, to mee payd and delivered formally by M^{r} Anthony Penniston of Som̄er Islands Merchant. Have bargained, sould, assigned & sett over One Indian man called ffransisco (about 30 yeares of age.) To have & to hold the s^{d} Indian to him the s^{d} M^{r} Antho: Peniston, his Heires, Execut^{rs} Administrat^{rs} or Assignes, from the day of the date hereof ffor & during the Terme of 99 yeares (if he shall soe long live.) And further I the said Capt Robert Downman doe firmly bind myselfe, my Execut^{rs} and Administrat^{rs} by these presents in the penall Som̄e of Thyrtie pounds Sterl to save & defend the said Indian man to him the said M^{r} Anthonie Penniston, his Execut^{rs} and Assignes, against all persons whatsoever Clayming the sayd Indian by vertue of any former Contract, or Condition whatsoever. In witness whereof I have hereunto sett my hand & Seale the 23rd day of May, in the 17th yeare of the Reigne of our Soveraigne Lord Charles the 2nd of England &^{c} Kinge An^{o} Dom: 1665.

Robert Downman.

Signed, Sealed & delivered in the presence of us John Tucker Henry Tucker *Secretarie.*

39. Further illustration of the practice of divorce. The following is recorded, without any reason assigned, the year 1677, but belongs to this place :—

A Divorce, 17 January, 1664, Somer Islands.

Whereas in the year of our Lord 1663 Thomas Parrett and Jane Coresie of S^{t} Georges did address themselves to me fflorentius Seymer Gouern^{r} of these Islands Craueing Lycence to be marryed And myselfe and Secretarie of these Islands (as well as other persons of good Report resident in S^{t} Georges Parish of Somer Islands aforesaid) did then again and again dehort the said parties from marriage vppon seuerall grounds and consider-

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ations by vs then alleaged vnto them Yet neuertheless the aforesaid Thomas Parrett and Jane Coresie then persisting in that their vndertake They were by me vnhappelie (though sore against my free approbation) allowed a Lycence and were suffered to be married Since which time of their marriage The aforesaid persons (to the great dishonour of God, and disturbance of Gouernment as well as to the apparent preiudice of themselves, haue liued after a most vnchristianly manner, by their frequently quarreling and fighting Insomuch that the aforesaid practices haue produced such ill effects that they the sayd Thomas and Jane haue this instant 17th day of Januarie An° Dom 1664 appeared before mee and haue freely declared That they the said Thomas and Jane will for the time to come liue apart, both from bed and borde. And moreouer That hee the said Thomas Parrett will not for euer after laie clayme vnto, take, or carry awaie any Chattells whatsoeuer as are in or about their dwelling House, or in her possession at present, or shall be for the future And it is further agreed vpon by and betweene the aforesaid parties That hee the said Thomas Parrett shall not take awaie from the aforesaid Dwelling house, any other necessaries, than what is therein remaining at present, im̄ediately and properly belonging vnto his proper person videlzt his clothing and his Tailor's impliments The which p^{r}mises, hee the said Parret is to receiue forthwith, And M^{r} Henry Tucker Secretarie and M^{r} John Bristow Prouerst Marshall (By the aforesaid parties free consent) to see the p^{r}mises pformed And hee the said Thomas so to depart from the said Jane according to their p^{r}mised expressions and resolutions In witness of the full p.formance of the p^{r}mises the aforesaid parties haue herevnto sett thier hands and seales the daie and yeare aboue written In the

Presence of vs
FFLORENTIUS SEYMER Gouern^{r}
HENRY TUCKER Secret^{ie}

THOMAS PARRETT
The Ŧ mark of
JANE PARRETT.

40. Announcement to the Company of War with Holland, Jan. 28, 166⅘.

CHARLES R.

Trustie and well Beloved. Wee greet you well. Although Wee cannot but doubt that upon the knowledge you have of the manie wrongs & iniuries which Wee & our Subiects have suffered from those of the United Provinces, and the constant evill mind they have borne to the welfare & prosperity of our Plantacons abroad. You have been soe carefull of those under your Com̄and or care, as to put them into a more than ordinary

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posture of defence. Yet because the Indignities, Spoyles & Affronts they have don us have encreased lately to such a height as leave us (after soe many demands and frequent instances made by us unto the States Generall for Satisfaccon) without hope of other redresse or reparacon then what wee can acquire by the Lawe of Armes, Which they have soe notoriously begun upon us on the Coast of Guinny, De Ruyther being sent thither with Twelve Ships of warre to destroy all our Interest in those parts, and, as wee have cause to suspect, in his returne to invade all Shipping hee can meet with, and assault those our Islands & plantacons & all other our Plantations & Colonies. And understanding further, that a considerable number of private Men of Warr are now preparing in Holland to be sent towards Our said Islands & Plantations to seize & doe all the violence they can there. Wee have thought fitt out of Our Princely care & regard to the safety of that and other places soe remote from us, to require you to use all possible diligence for their security, by causing fforts to be built in all necessary places, & by all other meanes which you shall finde most expedient. And because som skillfull persons here have represented unto us the necessity of Merchant ships to be haled neare the Shoare & ffasts carried to the shoare, from whence fforts & small shott may easily defend them. And likewise that all such ships which shall com thence bee enioyned to sayle in considerable numbers for their com̄on security, and that then, and even dureing their stay there, it will be fitt some of the most experienced officers have authority given them to Com̄and the rest. Wee have thought fitt hereby to authorize and impower you to do therein, what, according to this or any other emergencies, shall appeare to you to be most for the safety of our Islands and Navigacon of our Merchants, ffurther, that in other matters relating to the Jurisdiccon of our most Deare Brother the Duke of Yorke, Our High Admirall &^{c}, you observe such Orders & direccons as you shall from time to time receive from him, whom Wee have Commissioned to grant Letters of Marque & generall Reprizall against the ships, goods & Subiects of the States of the United Provinces, Conformable to which Our Will & pleasure is, that you take & seize the ships, vessells & goods belonging to the said States, or any their Subiects or Inhabitants within any their Territories, and to bring the same to Judgment according to the course of Admiralty & Lawes of Nacons. And these our Letters that you Com̄unicat to all Our forreigne Plantacons your Neighbours by sending Copies to the Respective Governors thereof, to whome wee have also written to the same effect, Our pleasure being, that with all care & applicacon possible, they arme themselves against the dangers which threaten them in this Coniunction from such an enemy, and proceed according to these our directions & such as they shall receive from our most deare Brother. Assuring them and all Our loving Subiects in those parts, that Wee shall not be wanting on our part on all occasions to helpe and succour them to the Utmost of Our Power, And to contribute all possible meanes for the Security and Improvement of their Trade and Com̄erce in all our Plantacons. And so Wee bid You farewell. Given at Our Court at Whitehall the 28th day of January 166$\frac{4}{5}$ in the 16th yeare of Our Reigne.

By his Maiesties Command

HENRY BENNETT

To our welbeloved the Governor and
Company of Bermuda Islands.

41. Instructions to the Governor consequent on the war with Holland. At a Quarter Court, &c held on Thursday 9th Febr: 1664

The Court being given to understand, that upon the approach of any ship or vessel on or near the Coasts of the Somer Islands, the Inhabitants there are wont in great numbers to go out with their boats aboard such ships or vessels, which may be of dangerous consequence to the security of those Islands in the time of iminent war and trouble. For prevention thereof, this Court do order that no person or persons within the Somer Islands do presume to go out with his or their boats aboard any ship or vessel on or near the Coasts of the said Islands, other than such boat and persons as shall be licensed for so doing by the Governor and Council in the said Islands, and that every person offending therein, shall forfeit and lose his or their boats to the use of the said Company. And further shall suffer one weeks imprisonment without bail or mainprise, or more, as the nature of the offence may deserve. And the Governor is to take care that this order be forthwith published throughout the Islands, to the end all persons may have notice and conform themselves thereunto accordingly.

42. Extract from General Letter, March 1, 166$\frac{4}{5}$, concerning Elizabeth Carter.

(1) Wee haue been credibly giuen to vnderstand that a woman stranger lately come into the Somr Ilds doth take vpon her to preach, to the great disturbance of the people and the discouragement of the ministers and wee do require you the

Gouernor and Councell to take especiall care that all such persons as shall disturbe the publique peace, or shall vilifye affront or otherwise disturbe the ministers there, while in the publicke exercise of their ffunction, be strictly and severely punished as the Lawe requires which we haue herewith sent you And that the woman aforemenconed be speedily sent away out of the Islands And that care be taken to prevent the comeing of any such persons into the Islands for the future.

(2) The History of the Quakers records an instance of their persecution about this time, not preserved in the Colonial Records.

Anno 1665. Several of them being assembled to wait upon, and to worship God, at the house of one William Wilkinson in Pagget's Tribe, on the fifth Day of the Week, on which Day a Captain of the Militia, named Dorrell, was exercising his Soldiers in their Arms. By his Direction eight of his Musquetiers came armed into the Meeting, and rudely took several of the Men assembled out of the Meeting, and carried away two of them, viz Robert Wilkinson and Francis Estlake, into the Field, where they charged the said Francis with Neglect of Duty in not appearing among them in Arms, and under that Pretence tied him Neck and Heels together, which Punishment the said Captain Dorrell threatned to inflict on him and others of his Persuasion as often as they should neglect what he called their Duty, for the future. But his wrathful Purpose was restrained by the Power of God, and he was not permitted to proceed with such extream Cruelty and Rigour.

43. Nurture of negro children Som̄er Islands the 2nd March 166$\frac{4}{5}$.

Mr Secretarie

Whereas Lieft John Elwicke, hath a Negroe woman belonging to the Honoble Company, (called Pricilla) by whome hee hath had three children, one whereof dyed about 4 yeares of age; the other two (videlzt Hanna about 6 yeares of age and Rebecca about three yeares of age) hee desireth to keepe (according to the Companies order and to their use) untill they attaine to the age of Twentie one yeares, which is granted. And now the said Priscilla being marryed to one Powle, a Negroe, servant of the said Mr Elwicke, it is by him humblie desired (in respect of the great charge and paines in bringing up the three former children for the Companies use) that hee may have the first proceeding Childe from the Marriage aforesaid, the which request (the premises considered) I conceive may (without preiudice to the Company) bee graunted. And this I desire you would record in the Booke of the Companies Servants, and remaine.

Your loving friend

John Nicoll Sher:

44. Norwood's Survey. Extract from a Postscript to a General Letter dated 5th March, $166\frac{4}{5}$.

We pray you to return unto Mr Norwood our thanks for his great pains and care in the new Map and Model and Book of Survey of the Islands by him drawn and transmitted unto us by our Magazine Ship: and we shall in due time consider thereof and return him our reward as soon as in a capacity so to do.

45. Piratical Proceedings in Tortola.

(1) Tortola, one of the Virgin Islands, lies near the centre of that group, of which St. Thomas at least is well known by name to readers of the present day. It is about 1° of longitude from the eastern end of Porto Rico, but the intervening distance is broken by so many islands that the navigator need never be out of sight of land. The group was described by the authors of the 'Universal History' a century ago as 'for the most part so inhospitable and unimproveable that they belong properly to no European power,'[1] and, as a matter of course, at a period when Spaniards, Hollanders, French, and English were contending in the West Indies, when the victors of to-day were ignominiously defeated and expelled on the morrow; these islands also experienced many vicissitudes, and were subjected to the same piratical attacks, which in turn desolated the larger and more valuable ones, retarding for a long time the progress of industry in that region. The island of Tortola is really too insignificant to be often noticed in the detailed histories of the time, but the reader will readily understand its circumstances by following for a moment the history of its neighbour, Santa Cruz, or St. Croix, one of the larger members of the same group, about thirty miles distant to the SSW. St. Croix

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[1] 'Universal History,' 1783, vol. xxxvi. p. 246.

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was discovered by Columbus in 1493, but presented so little attraction that it was unoccupied in 1587 when the English began to settle on it. About 1632 the Dutch colonised the adjacent island of St. Eustatia, and in 1643 they extended themselves to St. Croix. In 1645 the English governor was killed in his own house by the Dutch governor; both nations flew to arms, and a furious battle ensued,[1] in which the Dutch governor was mortally wounded. The Dutch elected a new governor, but the English in their wrath seized him and hanged him. The Dutch, and about 120 French who were with them, then abandoned the island to the English, who in turn were massacred by Spaniards from Porto Rico in 1650. The Dutch on St. Eustatia, hearing of this, made another attempt to seize the island, but were surprised and killed or made prisoners of war by the Spaniards. Before, however, the latter could carry them to Porto Rico, the French, under De Poincy, afterwards the King's lieut.-general, drove them out, and having purchased the island in 1651 for the Order of Malta, from the Dutch merchants, who had advanced money for the settlement of it, he settled 300 French upon it. In 1665 it was purchased from the Order of Malta by the French West India Company, and the same year a party of English buccaneers landed upon Tortola, and took possession of it from the Dutch.[2] It is this little episode in the history of the Virgin Islands to which the next extracts refer. The occurrence was briefly this.

Captain John Wentworth, being at that notorious haunt of the buccaneers, the Salt Tortuga, in 1665, heard that war had broken out between England and Holland, and sailing next for St. Croix, got scent of a Dutch plantation on Tortola, which he thought might be worth plundering. Accordingly he landed his company, made a prisoner of the planter who called himself Lord of the Island, seized a brigantine, and proclaimed King Charles II. He carried off with him when he left the island sixty-seven negro slaves, whom he took to Bermuda. The Dutchman, who was released at St. Eustatia, made a vigorous remonstrance, and even threatened to invade Bermuda, but the bearer of his hostile missive was put in prison, and he never executed his threat. The complaint, however, was taken up by the Company at home, and after several letters, which will be found in their proper place, they finally, in March 1669, pronounced the capture illegal, declared the negroes to be a royalty, and, by a striking application of the old fable of the oyster, seized them for their own uses.

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[1] Southey.

[2] Southey, whose words these are, places this occurrence in the following year, 1666.

46. At a Councell Table 31st Julie 1665.

(1) Capt John Wentworth, Com̃ander of the good shipp Charles, haveing lately arrived and brought in with him a small Vessell (his prize) and 67 Negroes. And hee haveing ingeniously confessed, that hee hath no other Comission for his supprizeing the said vessell & Negroes, then only the Newes, that there is an open and nationall Warr betwixt his Maiestie and the united States of Holland. And hee, conceiveing that his Mai^{tie} and the Duke of Yorke will approove of his takeing the same vessell and Negroes, thereuppon hath tendered the Tenth proportion of the whole prize into the hands of this Goverm^{t} in behalfe of his Highnes the Duke of Yorke. The Governor & Councell haveing thereuppon taken into serious consideration the premises, and requireing Securitie of the said Capt Wentworth to beare them harmless if any further proceedings should arise concerning his soe acting. The said Capt Wentworth, not being able to procure such securitie as is required, for bearing them harmless for his soe acting, hee thereuppon hath tendered his owne person, till his Maies^{ies} and the Duke of Yorkes pleasure bee further knowne therein. And in the mean time craveth that his owne Vessell may be allowed to goe forth to procure a Liveliehood for himselfe, and the Officers and persons that hee brought in with him as aforesaid. The which last proposal of sending his Shipp as aforesaid, hath bin unanīsly resented, And hee allowed to proceede along in his aforesaid Shipp, If in case hee shall within one ffortnighte before the departure thereof, put in securitie for the freeing Goverm^{t} in relation to the premises. Or if hee shall give more pregnant reasons hereafter (hee being at present under a great weaknes) to give further satisfaction to Goverm^{t}

(2) M^{r} Richard Stafford unanīsly elected Counsellor of Hamilton Tribe, And sworne in accordingly.

(3) Capt John Wentworth's Journall of his transaccons at New Tortola.

Having expended a certaine time (to witt) departeing from Mountseratt the 23rd January 1664 with a Com̄ission from the King of Portugall, directed to Capt Robert Downeman, on the 12th of June following departed from the Coast of Craicas and came to the Island of salt Tortugas, where carening the 21st ditto, came into the Harbor to us a Shallop belonging to the Governo^{r} of Mountsorat, who confirmed the newes received some 14 dayes before concerninge a Nationall warr betweene the English and the Dutch as did appeare by the great spoyle done by Michaell De Rutter in the English roades w^{h} inteligence caused me to decline my former designe under the King of Portugalls Com̄ission, and on the 27th ditto Moneth, departed from the aforesaid Island of Salt Tortugas, indeavouring to gett to the windward Islands with the small ffrigott under my Com̄and, and the consent of my Company, hopeing by that meanes theire to procure Com̄ission to the end wee might bee serviceable to our Soveraigne Lord the Kinge & Country.

Our best advantage being to stand first to the Norward, the 3rd of July we past the west end of the Island of S^{ta} Crus, the 5th day Anchored at the Virgins called S^{t} Annes; one of my Company haveing used those Islands ever since the Dutch had an Interest theare. gave me to understand that about 3 leagues Northeast from thence, the Dutch had planted a Colloney upon an Island called New Turtola, withall informed that he was under the Com̄and of Capt Henry ffearnes in the ffrigott Briar, when as one Maior Devanport was Com̄anded by his Maiesty to take a formall possession of all those Islands in his behalfe, which accordinglie was yformed, this aforesaid New Turtola excepted, for that at that time it was peace betwixt the English and the Dutch.

He likewise gave me an account of the Conveniences that did attend that Plantacon in respect of harboring, Careeninge and wateringe of ships, as alsoe that the Inhabitants were very well furnished with provisions to spare, the place being veri firtle, upon which reporte, consideringe how advantagus it might be to the enemy, and preiudiciall to his Maiesties subjects in these parts.

After deliberat Consideracons and advise of my Officers, as alsoe haveing an assurance that the Nationall warr might beare out my soe doeing, the 8th day of the same Moneth in the morninge landinge with 36 men of my Company, I did at that time surprize the Island with fortifications and people, who were to the number of 130 armed men, 7 peices of Ordinance, Saker & demiculver, with powder & shott netely fitted.

The day following, I did there solemnly proclayme King Charles the second, setting upp a S^{t} Georges flag in the ffort, findeing under the Dutch Governo^{r} a party of English and ffrench did enquire into their willingnes weather they would submitt to live under the Governm^{t} of his Royall Maiestie, and found to the number of 70 by subscripcon were willing to live under his Ma^{ties} Governm^{t} as afores^{d} The same day came in a Brigin-teene, Burthen 25 tons belonging to the aforesaid Dutch Govern^{r}, which I alsoe surprized.

The 14th day I despatched away the Dutch Governo^{r} with his retinnew in a barke which I gave him to carry him to Stacia (S^{t} Eustacia) comiting the Goverm^{t} of the people and of the place (that subscribed as afores^{d}) to the trust of one Leivetenn^{t} Thomas Bignoll, the most responsable English man upon the Island, leaving them a Competency of Amunition for their Great Gunns and small Armes.

On the 18th ditto moneth, departed from the Island directing my corse for the Island of Bermudah, were wee arrived the 26th of the same moneth, at which time I gave the Governo^{r} of that Island as aforesaid, on account of my transaccons.

per me John Wentworth.

This agreeth with the Originall

Examined the 12th ffebruarie 1665. Henry Tucker Secretie.

(4) The Dutch proprietor naturally viewed these proceedings in a totally different light, and, as soon as he could, despatched the following letter :—

S^{t} Christophers the 4th November 1665.

My Lord, Soe soon as I could have accation, in griefe I write these unto you, soe have I taken the paynes to write a few lines unto you, ffor uppon the 9th day of July of this yeare, there came hither against mee a pirate or sea robber, named John Wentworth, the which overrun my land by nighte, and that against the will of mine owne Inhabitants, and showed himself as a tyrant in robbing and fiering, and took my negroes from my land aboue 96, 24 Carbines, my cargo and ffrigott, called by the name of the Greyhound, and robbed mee of all, notwithstanding hee could not make any prize of mee, ffor my Island belonged to noe man else but my-selfe. And I declare unto you that I have not in the least to doe with the States of Holland, and that I am a free Lord of mine owne Island, and have warrs with noe man in the world. And likewise I doe understand that this said J^{o} Wentworth a sea robber is an indweller with you. Soe I desire you that you would punish this rogue according to your good law. But doe you heare, and if my slate factory cease by fault of this, I shall be forst to be revenged of you & your land. And if it were soe well, that wee should bee in peace with your nation, so I shall nevertheless not desist to be revenged of you, alsoe an honest Govern^{r} is obliged to punish the evill doers, namely, a Sea robber that sailes without a Comission. I desire you so soone as you have this truth of mine. If you dont of your selfe restore all my Negroes againe, wherefore I shall stay here three moneths, and in default of this, soe be assured that wee shall speake together very shortly, and then I will bee my owne Judge. Governor.

Yours

William Houton.

To the Lord my Lord Fflorentius Seymer. Governor.
Bermudah.

The bearer of this letter was Mr. Thomas Gwin. The proceedings taken against him, and the Company's letters on the subject, will be found under their proper dates.[1]

47. A Proclamation. By the Governo^{r} 2 August 1665.

Whereas it hath visibly appeared that the hand of Gods correction hath a long time persued the Sinns of this Plantāson by Generall waies and meanes not unknowne to any that hath com̄on reason, and now lately by an opressive Drought, hath caused both men & beasts, trees & plants to mourne for want of refreshm^{t}. Myselfe and Councell therefore, (with the approbation of the Reverend Ministers) have thought fitt to appoint and Com̄and, that Thursday the tenth of this instant Moneth, bee wholy sett apart for a day of Humiliation for our Sinns, and by prayer & ffasting to importune the Lord, (who is the only giver of all goodnes) that hee will be pleased to pardon the crying sinns of these Islands, and divert those heavie Judgments which are iustly impending uppon these Islands for the same. And hereof I doe require every housholder & other psons whatsoever to take notice, and to be obedient unto the premises, as they will answer the Contrary at their perills. Given under my hand the 2nd day of August An^{o}: Dom: 1665.

Fflorentius Seymer.

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[1] February, 1666; February and July, 1668; and March, 1669.

48. Memorandum October the 6th 1665.

Memorand. That Jane the wife of Nicholas Bayley, (the which Nicholas Bayley hath bin absent from these Islands, and in the West Indies severall yeares. But for certaine hath bin of late time in perfect helth in the Barbadoes) haveing of late times addressed herselfe to Capt ffloreutius Seymer Governor, for liberty to be Marryed forthwith to Thomas Harding a man of warr belonging to the ffrigott Charles, shee alleaging, that if her said husband should returne, shee is fully resolved not to entertain him or cohabit with him, ffurther averring, that shee will venter the undergoing the rigor of the Law &c. Soe shee may have the liberty to be Marryed to the said Thomas Harding. But the said Governor giveing her his positive answer, that hee could not & would not consent thereunto. Shee hath lately as likewise the sayd Thomas Harding, acknowledged, That one William Stanly *als* Smith, hath clandestinely marryed them, and they haveing bin questioned, since the sayd Stanly *als* Smiths departure out of these Islands for the said fact, they have denyed the same, ffor which crime of theirs and grand abuse to Govermt. The Governor hath propounded unto her, either to be forthwith whipped at the whipping post, or to depart these Islands. And shee the sayd Jane hath chosen to depart these Islands, along with Capt Edd Stanyan for Cape ffare, in the vessell Rebecca. . . .

49. About the time that we have reached, the claims of Captain W. Sayle to proprietary rights over the island of Eleutheria, on the strength of a pretended patent or commission, became the subject of a lengthened investigation before the Governor and Council. No distinct decision is to be found, but it would appear that his son and representative Nathaniel Sayle failed to establish the claim.

The controversy commences with a claim on the part of Nathaniel Sayle to an anchor and other property recovered from a wreck by Captain Edward Stanyan, who declares that he found it on an island owned by no supreme governor, nor no person or dwelling within forty miles. He prays inquiry into the validity of the grant to these islands to Sayle.

The following Commission is put in evidence :—

By vertue of a Com̄ission granted unto Capt William Sayle, and divers others, by the Kinge and Parliament of England, to enjoy the Bohamo Islands, and from him to mee, I doe appoint Mr Thomas Houtt and Mr Thomas Haies to be Deputy Governours under mee. And in my absence to govern the people uppon Elutheria, and to Administer Oath to any of the Inhabitants for the clearing of matter brought before them. Likewise I doe require all the Inhabitants uppon that Island to yeald all lawfull obedience unto the sayd Thomas Houtt and Thomas Haies, as they will answer the contrary at their perills. For the confirmation of this their Com̄ission I have hereunto sett my hand and Seale, the 19th December 1661.

NATHA: SAYLE

Hereupon the Governor and Council examine a number of persons as to their knowledge of the existence of a Commission under a great seal held by Nathaniel Sayle. Questions, nine in number, dated October 11, 1665, were drawn up by Stanyan for their use; but the Governor and Council ruled that 'there is not any president upon record here for examination of witnesses by Queries by any private man's exhibiting,' and concluded that the inquiry should be conducted in the usual manner by oral testimony on oath.

The evidence of the existence of some such instrument seems conclusive. For example:—

William Barnet sworne, saith, that when hee and Mr Natha: Sayle were together at Elutheria, the said Mr Sayle did read a Comission there in the cave concerning the Governing of the people, the which had a brave seal unto it, but whither it came from his Maiestie, or the State, he knoweth not.

Peter Sands sworne, saith that hee and Mr Nathaniell Sayle were at Elutheria together. And there was a paper that hade a Seale at it, the which was published in the Cave, but what was the contents of it he knoweth not.

There is much more to the same effect.

50. A letter from the Company 14 Novem 1665.

Capt fflor: Seymer

These may informe you and your Councell, That wee have sent now unto you our Magazeene ship called the Samuell of London, whereof is Master Thomas Leach, wee desire, and order you to cause to be shipped upon the said shipp all our oyle, And this yeares Cropp of Tobacco, within the space of 14 dayes after her aryvall (winde and wether serving) that shee may put to sea, And soe by Gods assistance shee may returne to England, and soe to London before the Spring, that many enemies are abroad. And this our letter unto you, by this our Master, shall be of as much validity and force, as if he had our com̄ission signed with our Seale as formerlie, which now cannot be done, by reason our Seale is at London in our Court house, that hath been shut up this many Moneths, And all belonging unto it gon into the Country. Let this suffice. Given under our hands at a Court held at a Towne called Edgworth in the County of Middlesex, this 14th day of November 1665. In the 17th yeare of the reigne of our Soveraigne Lord King Charles the second.

Gilbert Gerard,
James Jaunceye,
William Graves.

Heydon Deput:
Gilb^{t} Gerard.
Per: Trott.
Charles Pym.

51. Councell. 9th ffebruarie. 166$\frac{5}{6}$.

(1) Uppon a Complaint exhibited against M^{r} Thomas Gwin by Capt John Darrell Coron^{r} of these Islands, ffor strengthening whereof, severall Attestations have bin this day taken, demonstrating that the said M^{r} Gwin hath of late disingeniously complied with a Duchman at Basse-terre uppon S^{t} Christopher terming himselfe in a letter the Governour of New Turtola, with the which dareing letter the sayd Gwin haveing bin entrusted for the delivery thereof to our Gov^{r}, hee the sayd Gwin (being present at the writing thereof) hath divulged the contents thereof in these Islands before our Governour (after his receipt thereof) could have the same interpreted by a capaible person, whereby hee hath not only intrenched uppon our Gover^{r}, and affrighted his Maiesties Liege people the Inhabitants of these Islands, but likewise (uppon Capt Darrells seasonably reprooving him about the premises) hath (in addition to his preceeding temerity) obstinately affronted him the sayd Capt Darrell, in bidding him be good in his office &^{c}, as p^{r} the Attestations aforesaid doth evidently appeare. For which abuses to our Gover^{r} &^{c}, the sayd M^{r} Thomas Gwin is unanīsly censured to lie in prison for a ffortnight, or untill further order. And in regards the sayd Duchman hath, dareingly, threatned in his sayd Lett^{r} to be revenged of our Gover^{r} and of these Islands, if &^{c}. It is unanimously thought fitt that competent provision be forthwith made (if hee should attempt the subdueing of us) for the repelling of him, and what fforses hee shall attempt to invade us withall.

(2) The Attestations of Capt John Stowe, who being sworne, saith that hee and M^r Thomas Gwin being in discourse together soone after M^r Gwins arrivall in these Islands, the said M^r Gwin did tell him that hee had mett with the person that had bin Governor of Turtola (as hee said at Basse-terre) which discorse was at Capt John Wentworths house. The which Gov^r told him the sayd Gwin, that Capt John Wentworth had bin at Turtola and had robbed him, and had taken awaie a number of Negroes videlst 90 or 60. And the sayd Governor did then declare unto him, that if he had not satisfaction from the Governor here, and send him his Briganteene and his Negroes which had bin taken from him, that hee would send for 14 Saile of Shipps, and cum and take his Negroes and the Island too. And withall said, that the said Governor had writt a letter to our Gover^r here to the same effect. And some one of the parties present at the same time and place, asked M^r Gwin how hee did know that the said Gover^r did write the said letter. And M^r Gwin answered that hee did see him, and that Norman the Master of his the said Gwins vessell was with him and did interpret unto him what the sayd Dutch Governor did saie. And that hee himself did give the sayd Gov^r our Gover^{rs} name at the writing of the superscription of his letter to our Gover^r. And the said M^r Gwin did then declare, that one Cornelius Peterson was Master of the ffrigott that Capt J^o Wentworth had given to the aforesaid Governour of Turtola when hee took the sayd Island, the which Peterson did vough to bee revenged of the people of the Islands. And further saithe not.

JOHN STOWE.

(3) The Attestation of Capt John Wentworth. Who Sworne, saith that being at the house of M^r Hugh Wentworth on Saturday, the third Instant, did meete with M^r Thomas Gwin, whoe at that time and place (putting by other discourses) did informe him this deponent, that at Basse-terre, he the said Gwin met with him who declared himselfe to bee Governor of the Island New Turtola, being in Company with him at a ffrenchwomans house did sitt in his Company whiles he writt a letter to the Gov^r of Bermudas, which letter hee, by his request brought, not knowing the contents, but did advise the sayd Gover^r how to direct his Letter, haveing in his Company the scipper Norman to interpret between them. He the sayd Gwin did also informe this depon^t that he offered this Dutch Governor a thousand pounds of Sugar. The same day, the aforesaid Gwin being at the house of this deponent in company with Capt John Stowe, Capt John Darrell, his brother Hugh Wentworth with others, being demanded by Capt Darrell how hee durst bring such a

message or letter or take any employment from a nationall enemy, he, the sayd Gwin replied, that if it were to doe againe tomorrow, hee would doe itt, as alsoe that he directed the Dutch Governor how to write the superscription of his letter to the Governor of Bermudas, with other sentences relating to it, this deponent heard from him at his brother Wentworths house. And &c

JOHN WENTWORTH.

(4) Then follow several depositions tending to prove that Thomas Gwin had brought a letter of defiance from the Dutch governor of Tortola, addressed to the Governor of Somers Islands, being cognizant of its contents, and that he had offered the Dutch governor 2000 lbs of sugar for the brigantine piratically seized by Capt Wentworth, but the Governor would not take less than 4000 lbs. The letter has been already given at p. 233.

52. Councell of Warr. 27th March 1666.

Pagets Tribe Church March the 27th 1666.

Capt ffiorentias Seymer, Governour and Captaine Generall of these Islands, and the severall Com̄anders of ffortifications, and the severall Com̄ands of Companies, and the Lieftents and Ensignes then and there present.

Unanīously then concluded (for the Gen̄rall defence of these Islands) as followeth (videlt.)

That from the first day of May next, untill the last day of Julie next ensuing, everie night ffoure or six persons, or soe manie as the respective Captaines shall think fitt, shall keepe a Watch at such places as the sayd Captaines shall think fitt to appoint.

It is unanimously Concluded, that at the approach of any Shipp or Shipps off of any the Tribes, these underwritten persons be employed to goe out unto them. And im̄ediately after their returne, repaire unto their severall Com̄anders, or (in their absence) to the respective Councellors, to the end, that the Captaine Generall may be speedily satisfied uppon what accompt such Shipp or Shipps are intended towards us.

Jonathan Longston for Smiths and Devonshire Tribes.
Larence Dill for Pagets Tribe.
Nathaniell Asted for Warwick Tribe.
Mr Robert Dickeson for Southampton Tribe.
Richard Meritt for Sandis Tribe.

And in the absence of any of the aforesaid persons pitched uppon to goe out unto (or aboard as occasion shall present) Shipp or Shipps as aforesaid. It is unanimously Concluded; that such person be sent out, as the respective Com̄anders shall think fitt to appoint, and not above 6 persons to goe out at a time in a boate to assist the principall in and about the premisses.

Henry Tucker Secretie.

To Captaine &c.

53. A Proclamation. By the Governour. 11 April 1866.

To prevent all disorders that may happen uppon any sodaine Allarme, either by forraine fforces, or intestine mutanies. These are in his Maiesties Name, to charge and Com̄and all the Military Officers whatsoever of these Islands, that they observe and keepe all such orders as were concluded and agreed uppon at a Councell of Warr in Pagets Tribe, held in March last past. And likewise whatsoever other orders shall proceede from myselfe, or any other pson deputed under mee, from time to time.

Impris That due wach and ward be kept uppon the ffronteeres of your severall Divisions, as well for discovery of any approaching enemy, as also for the speedy giveing notice thereof by Allarme or otherwise.

2ly That the Boates then appointed for discovery of an Enemy, or intelligence from friends passing by, may, according to the sayd order, be diligently and carefully provided, And the sayd orders observed in that behalfe, and put in execution seasonably.

3ly These are strictly to Charge and Com̄and. That no pson or psons doe presume to goe forth to, or aboard any Shipp or Shipps, but onely such psons as are appointed by the aforesaid Military Officers, according to the Councell of Warr, or in their absence, by the Councellor of the respective Tribes.

4ly If a wreck should happen to be discovered. These are likewise in his Maties Name to Charge and Comand, that no pson or psons whatsoever doe presume to goe out unto it, but onely such as are appointed as aforesaid, and those alsoe, not to make any stay there, but to returne againe with all expedition, to bring intelligence to the Officers aforesaid, that soe myselfe and Councell may be speedily informed of the true state of the businis, least by disorderly goeing forth to such wrecks, the whole Islands may be in danger of being betrayed.

And lastl. These are in his Maties Name strictly to Charge and Com̄and all his Maties liedge subjects to give all loyall obedience unto their severall Com̄anders uppon all occasions, uppon paine of being strictly punished according to the Martiall Law.

Given under my hand the 11th day of Aprill Ano: Dom: 1666.

FFLOR: SEYMER.

54. At a Court Marshall held at Capt John Hubbards house in Hamilton Tribe, Capt fflorentius Seymer Governor & Captaine Generall, Capt William Sayle, Mr John Nicoll Sher: Capt ffrancis Tucker, Capt Godheard Asser, And the severall Captaines & Liefents of the severall Trained Bands of these Islands then & there present, held the 5th day of Julie 1666.

Then & there unānisly Concluded upon and Ordered as followeth.

(1) That uppon the approaching of an Enemy, And uppon their assaulting of these Islands, one Companie doe retire to the other for the strengthening thereof. And in case the Enemy should invade to the Eastward, That then whatsoever souldiers may be spared out of the respective Companies, be sent to St Georges for the defence thereof. Provided that there be left to each Companie Twenty such souldiers as the respective Captaines shall thinke fitt to nominate and appoint.

(2) It is further unanisly Concluded, That where ever an Enemy approaches to land, That the Company of that Division shall ffight, repell & kill them to the utmost of their powers, after what manner & forme the Comāander doth think best. And when any ayde shall come, That the Comanders of such aydes doe lead on, and comāand their owne Companies till further order from their Generall.

(3) It is further Concluded & agreed upon That noe Boate or Boates shall goe out to any shipp or vessell upon any prtence wtsoever, But the Pilate onely and his Gange, And wtsoever Boat shall be at sea, shall repayre forthwith to the shore, and not stay out or goe aboard uppon any prtence wtsoever. Moreover if any manner of ship or vessell bee upon the Coast, noe manner of person is to presume to goe out to sea with any manner of Boate uppon any pretence whatsoever.

(4) It is further agreed & Concluded uppon, That wtever person hath any Armes or Amunition of his owne, And refuseth to serve with them in person, That the Comandr of that Division shall seaze and take awaie such Armes and Amunition from them soe refuseing, And Arme whome hee pleaseth with them, And forse the pson that was the owner of such Armes & Amunition to serve with the Companies Armes, instead of their owne.

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(5) It is further agreed uppon & Concluded, That all Masters of ffamilies in these Islands, shall uppon Alarmes bring or send into the ffeeld, or to the respective Randisvoues their Negroe men and Boyes that are 14 yeares of age and upwards with what Weapons they thinke meet, or with Hoes, hachetts, axes, bills or the like, then & there to waite the Comanders order, And for such psons as refuse soe to doe, to fforfitt 500^{ls} of good Tobacco, to be payd towards the makeing and repayring of ffortifications. And to submitt to such further punishm^{ts} as the Gen^{r}all and his Councill of Officers shall think meet, And that all Negroes shall yeald obedience to their respective Com̄anders, uppon paine of death.

(6) It is further &^{c}, That if any of the Captaines of these Islands shall issue out Warrants for the punishing of Offenders, That if any Officers under them shall refuse to Execute any such Warrant, or any Souldiers in assisting them, That every Officer soe refuseing shall fforfitt 500^{ls} of Tobacco as aforesaid, Or suffer ffive weeks imprisonment, And every Souldier disobeying his Com̄and^{r} or any Officer under him, shall fforfitt & pay 300^{ls} as afores^{d}, or suffer three weekes imprisonm^{t} for every time soe offending.

(7) It is &^{c}. That if any persons shall Combine and agree together to disobey their Com̄ders, Or to raise any mutiny by word or accon, That all such soe offending shall be forthwith sent downe to the Goale, prisoners, And im̄ediately after, be tryed by a Court, according to Marshall Law.

(8) Lastly. Every Com̄ander that shall neglect the putting these afore mentioned Orders in Execucon shall be ffined, And pay to the Captaine Gen̄rall ffor publique uses, Tenn pounds sterl monie. Signed the day & yeare above written by,

FFLORENTIUS SEYMER.

By Jonathan Turner,
William Peniston,
Miles Rivers,
Edd Chaplin,
John Rivers.
Lieften^{ts}

George Hubbard,
John Darrell,
Thōas Richards,
Christo : Burroes,
John Hubbard.
Captēs

William Sayle,
John Nicoll,
ffran Tucker,
God : Asser.

55. A Proclamation. By the Governour. 18 July, 1666.

Whereas, according to the trust com̄itted to mee I have, with assistance of my Officers, used all possible meanes for the safety of this place and people, by putting ourselves and ffortifications into a considerable posture of defence. Yet knowing how little security may be expected from the Arme of flesh, without especiall assistance from God, who is the rock of ages, the smiting of whose divine Justice, our daily sinns and provocations may equally challenge with those of our Neighbours; who have already tasted the Cupp of his Indignation. And being likewise encouraged by the redines of our Reverend Ministers, and other well affected psons. I have thought expedient by these to proclaim, a fast, which will be on Wednesday next the 25th Instant moneth, which day I doe hereby require of all Masters of ffamilies, and others, may be solemly sett apart for fervent humiliation, in such places and exercises as by the Ministers in their respective places, that they shall think expedient. And doe further charge all who shall necessarily absent themselves from public meeting, that according to their capasities they spend that day in such a religious or civill deportment as this my proclamation doth import. Whereof lett all whom it may concerne take notice and conforme accordingly. Given under my hand the 18th Julie 1666.

FFLOR: SEYMER.

The originall of this next above written proclamation drawen by the Goverr himselfe.

56. Bisse's 'History of the Quakers' furnishes us with a fresh example at this time of the difficulties in which their conscientious objection to military service involved them:—[1]

Ann° 1666 About this time Florentia Seymour being then Governour, a Law was made to fine each Person one Shilling for each time of his absence from the Mustering, or any other Military Service required. In pursuance of this Law the aforesaid Captain Dorrell issued the following Warrant, viz

'To Serjeant John Stock, and Serjeant Peter Pridden, and all other Soldiers they shall appoint, that are under my Command.

'These are, in his Majesty's Name, to will and require you to go to William Wilkinson's and Robert Wilkinson's, William Smith's and Francis Estlake's, Quakers, and demand of them twelve Pence per time apiece, for every time they have absented themselves from our Musterings, Alarms, or any other publick Services and Watches, it being according to an Order made by the Captain-General and his Court-Martial the 27th of March 1666. And if any of the above-mentioned Persons do refuse to make Payment, then these are, in his Majesty's Name, to charge and command you to strain, take and carry away of the Goods and Chattels of the Persons so refusing, and keep them in your Possession seven Days, and if they will not redeem their goods within seven Days, then you are to make Sale thereof, and to return the Overplus to the Owners thereof; Fail you not, as you will answer the Contrary at your Perils. Dated the 29th Day of July 1666.

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[1] William White, mariner, by his last will and testament, dated January 5, $166\frac{5}{6}$, 'gives and bequeaths for the good and use of the people called Quakers in the Islands of Bermudas a forth part of his worldly goods that shall bee left after his wife has had her third part out, and that to be distributed according the discretion of his executors as neede requires.'—'Record Book of Wills,' p. 101.

'JOHN DORRELL'

In Consequence of this Warrant, they took from William Wilkinson, two Hides worth 10^{s}. From Francis Estlake, a Swine worth 14^{s}. From Robert Wilkinson, Goods worth 19^{s}. And from William Smith and others, several Houshold Goods, being for a Demand of 10^{s} each, made upon each of them.

57. Considerable space is occupied under date 9th August, 1666, with the vindication of Lieut. Robert Clarke, from a charge of 'several enormies (tending to disloyality at the least)' perpetrated at St. Christopher's. The French at St. Christopher's drove out the English, of whom Clarke was one, in May of that year, and embarked him and his family in a Dutch ship, by which they were landed in Bermuda in June. One Bragg brought a charge against him that he had renounced or offered to renounce his allegiance to his own sovereign, and sworn allegiance to the French king. Bragg was unable to prove his charge, and made an ample apology.

58. Letter from the Company describing the Fire of London dated 1 Novem. 1666.

Capt Seymer

These Lynes may repeate those dismall Relacons with which other pens (as wee suppose) by this tyme haue filled your eares, of the publick loss to the whole nation by the lamentable & neuer to be forgotten ruinous state of the once famous City, occasioned by fire, which began on the 2nd Sept last and in the space of 4 days, reduced to rubbish & ashes, not only the dwelling houses, but also all the Churches, Halls, Monuments and other statelie buildings eastward to the Tower of London and westward to Dunstons Church near Temple bar, and to Holborne bridge, leauing only the less considerable part of the Towne standing eastwards (as it were in a lyne from M . . . . lane to Leaden hall and so to Moorgate. The Lord sanctifie to vs all the dreadfull & most astonishing Judgmt of Desolacon now to the City itselfe; as the last yeares Mortality to the Inhabitants thereof, that wee may timely & truly repent and reforme, and the Lord may haue mercy on vs

(Signed) Manchester Gov.

59. At a Quarter Court for the Somer Islands Company held at Mr Deputy Trot's house in Bishopgate Street London on Wednesday the 28th of November 1666.

(1) Whereas upon certain propositions made to this Court touching an Adventure of fishing for Whales in and about the Coasts and Seas of the Somer Islands alias Bermudas, the same after much debate and endeavours used, were (at the length) embraced, and a method agreed upon for the carrying on the said Adventure, by an equal tax to be borne by the owners of Lands in the said Islands, according to the number of their shares there, after the rate of 50lb per share, amounting in the whole to One Thousand Pounds. And that according to Order from this Court of the 9th of October 1662 directed to the Governor and Council in the said Islands Proclamation had been made of an offer and Tender to all the owners of Lands that were inhabiting in the said Islands to come in (if they pleased) to be joint Adventurers in the said undertaking, and that such of them as accepted thereof were directed by a certain day to subscribe their names and sums, and to pay in their money to the Treasurer appointed for the said Whale fishing; and all others refusing so to do, be utterly excluded from the said adventure, as by their own default. And whereas the said Governor and Council by their general Letters to this Company bearing date the 10th of April 1663 had made return, That the said former Order had been proclaimed in the said Islands, and that no subscriptions were made, or money paid as by the said offer was appointed, so that the owners of Lands in the said Islands became utterly excluded out of the said Adventure, as by their own default, saving and excepting some few of them as were present here in Court, and had undertaken for themselves and some others in the said Islands.

(2) And whereas the said Adventure hath been carried on by the Members of the Company here, and such few of the Islanders aforesaid, to the very great charge of the Adventurers amounting

to Two Thousand pounds and upwards, and that by their great and unwearied endeavours, the said Adventure of late hath taken good effect.

(3) And whereas for the better managing of the said Adventure, and preserving the rights of the respective Adventurers therein, this Court had on or about the 16th of November 1663 made and established certain penal Laws or orders against Disturbers of the Whale fishing in the said Islands, and that the same had been duly Proclaimed there. Notwithstanding all which, certain persons (as this Court is informed) upon pretence, that they are Owners of land in the said Islands and have had their Conveyances of purchase of such Lands confirmed under the common Seal of this Company, with several Rights and Privileges thereunto belonging, do therefore, to advance their own private end, with much subtlety, (though falsely) assert; that they have liberty by their privilege of such Grants, to fish for Whales, as well as for other fish in and about the Coasts and seas of the said Islands, and that great disorders have arisen thereupon, to the trampling on the Government in the said Islands, the contempt and setting at naught the Laws and Orders of this Company, the invading of their Rights and Privileges, the disturbance of the peace of the place, and the raising of mutiny, and threatening of bloodshed there. This Court for preventing the sad consequences of such growing evils, maintaining the honour of the Government of the said Islands, preserving the just Rights and Privileges of this Company, retaining the people in peace and quiet. And for the undeceiving of all such persons that through the subtlety of others or their own ignorance, have been abused or misled into such disorders. Do think fit and declare, and they do hereby declare to all persons inhabiting or that shall hereafter inhabit in the said Islands, and all others that are or may be any way herein concerned. That the Companys usual Deed of Grant for Confirmation of Lands under their common Seal, never did give, nor ever was intended to give, any liberty to any person or persons whatsoever to fish for any kind of Whales in or about the Coasts or Seas of the said Islands. And this Court do order and require the Governor and Council in the said Islands immediately upon sight hereof, to cause this their Declaration to be forthwith published, to the end no person may pretend ignorance. And that the said Governor and Council do take especial care. That all laws against disturbers of the peace of the said Islands, and in particular the Laws and Orders made against the disturbers of the said Whale fishing, be duly executed, and the persons offending therein to be summarily proceeded against. And that they the said Governor and Council do use their utmost endeavours to retain the people in their due allegiance to his

Majesty, in observance to the Laws and Orders of this Company, and the Government now established in the said Islands, and in unity and peace one with the other.

Thomas Marten Secretary of the &c.

60. Extract from a General letter to Captain Seymer dated December 13th 1666.

Also we are informed that notwithstanding our late penal order of the 9th October 1664, against persons practicing as Attorneys for fees or rewards that have not been licensed by us, yet such are admitted by you, and practice, to the egging on the people to Law, and to the raising and maintaining of much strife and contention in the Islands. And thus we show you how little respect our laws and orders have had with you, more than the hearing of them read. But of this last mentioned order, we do and shall expect your utmost observance, and that the Penalties be inflicted on the persons that shall be found to be the transgressors thereof.

This order was principally aimed at William Righton and Will. Milborne. These two persons, joined about 1683 by Henry Bysshe or Bish, were the leaders of all the litigation against the Company in succeeding years.[1]

61. A Proclamation. By the Governour. 19 January 166$\frac{6}{7}$.

Whereas our Reverend Ministers, with the concurance of myselfe and Councell, have carried on a day of Humiliation in the moneth of Julie last past, for and in consideration of the many thousands of Cristians (our fellow subiects and countrymen) that have bin swept away by a contagious pestilence in the Kingdome of England about two years last past, and for and in consideration of the sadd effusion of much blood occasioned by the unhappie warrs betwixt our nation and the adiacent & p^{r}dominating enemy, there, and amongst the plantations our neighbours. And whereas wee have understood that the eminent city of London hath undergone inexpressible damage by the dreadfull furie of ffire, soe that many thousands have bin destroyed in their estates, if not in their psons. All which callamities have bin derived from the aloud crying sines that have bin practised therein, for all which wee, even all of us, Maiestrates, Ministers & people are immediately bound to sympathize with them in this their day of visitation, wee haveing,

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[1] Righton was captured at sea, and carried prisoner to Norway, this year.

(if not in England yet in these Islands) even out-dared our heavenly Maker by our Sabbath breaking, contempt of Magistrates and Ministers, uncleeness, drunkennes, oppression, pryde, Blasphemies, and such like abominations, though from tyme to tyme protested against by Gover^{rs} in their severall proclamations, backed by the wholesome Lawes of our Nation, and by the Ministers in their pulpits. For all which before recited abominations (committed by us even with greedines) we may iustly expect the like or more dreadful Judg^{ts} from the sinne-revenging Almighty, to be poured out uppon us spedily, and in such maner as it shall please his heavenly Maiesty, if wee doe not (while it is called to day) repent us of our sinnes past, and give a lively Testimony of our true Humiliation by our walking before him in all holy obedience for the tyme to come, ffor the better effecting whereof, myselfe and Councell have lately sett apart Wednesday the 30th day of this instant Moneth to bee a day of prayers and humiliation before the Lord in behalfe of them, and for ourselves.

And therefore I doe hereby charge & Com̃and all maner of Inhabitants to assemble together at such Churches that day as the severall Ministers shall appoint, there to joyne with them in prayer and such Christian exercizes as God shall enable them. Hereby likewise requireing all maner of Officers (as well as Masters of ffamilies) to use their best dilligence in suppressing all gain sayers. In all which is expected a devout, religious & holy behaviour, as in the p^{r}sence of God, which being soe performed, Hee may be pleased to accept of our poore endeavours (for Christ his sake) and divert all maner of Judgm^{ts} from us and all ours. On the contrary, as the neglect and contempt thereof shall displease God, soe undoubtedly it shall be punished by whomsoever it shall be com̃ited. Whereof lett every one be well advised & conforme accordingly at their perrills.

Given under my hand the 19th day of January An^{o}: Dom: 166$\frac{6}{7}$

FFLOR: SEYM^{R}

62. At a General Court for the Som̃er Islands Company held in Watling Street London on Friday the 27th April 1667.

M^{r} Henry Moore a member of the Company having been an Inhabitant in the Islands for 30 years past, and having purchased several shares of Land there, some whereof are well timbered, and having thereon many cedar trees fallen and upon spoil. And never having transported for his own, or his friends use, any Cedar in all his time, craves liberty to transport three Ton of such cedar trees only, to pleasure friends for kindness received, which is granted.

The use of Bermuda cedar for articles of furniture before the general introduction of mahogany has not attracted notice; but from the number of these licences, and the large illicit exportation of the wood, which the Company were always endeavouring to check, it would appear to have been sought after.

63. At the Assizes 18th June 1667.

(1) Susana Bayley, wife of John Bayly of Deven: Tribe, presented for that shee the said Susana is a person of scandalous life, and found by her Conversation to promote dissention in the neighbourhood.

Whereuppon the said Susana was found guilty by a Jury of 12 sworne men, uppon the 27th day of June 67. And was censured by the unanimous Vote of the Court, to be forthwith ducked with three ducks. Which said Censure was accordingly performed from aboard a vessells yards arme lying at the Bridge, the sayd day.

. . . .

(2) Marie Coates, called a Quaker, presented for that shee on the 29th Septemr last past, being the Lords day, did, in company with the rest of hir Complices or abettors in forme of a Riott, enter into Pagetts Tribe Church, and there useing such turbulent gesture, as did apparently disturbe the peace of his Maiesties good people then assembled. As also in Company with William Wilkinson, on the 15th of the said Moneth, did approach neare Pagetts Tribe Church, and there and then did abett in the raysing severall verball noyses & acclamations, to the disturbance of the Congregation then assembled, & also the Minister, then employed as aforesaid, which is contra pacem. Shep: Page 170. 177.

(3) The aforesaid Marie, likewise presented for suspicion of Incontinencie with William Wilkinson as doth appeare by their unlawful Society at sundry tymes, as also, by words & Gestures tending to incontinencie

The said Marie Cotes unanisly Censured by the Goverr & Councell, to make her publicke Acknowledgmt of her former offence in relation to the prmises in the Court. And put in sufficient Bayle for her good Abering untill the next Goale delivery.

(4) William Wilkeson of Pagetts Tribe Quaker, presented as aforesaid, And for that in the time of his Imprisonment, hee did then & there utter & foment severall words tending to Blasphemy. As likewise for that hee did in the time of his imprisonment, with manuall violence, strike the person of John

Bristow, Provost Marshall of these Islands in the time of Execution of his Office.

ffor that the aforesaid William Wilkeson hath behaved himselfe soberly and orderly since he hath bin released of his long imprisonment. It is unanimously Concluded by the Govern^{r} & Councell, that hee the said William doe make his publicke Acknowledgement of his sorrow for his former offences in relation to the premises, in the Court. And put in sufficient Bayle for his good Abering untill the next Goale delivery. And as for the speeches tending to Blasphemy by him vented when in prison. The Governor & Councell hath unanimously Judged the sayd languages to proceede from him, as from a man, Non Compos mentis.

(5) Thomas Woodall of Pagetts Tribe, called Quaker, presented as first abovesaid, as likewise for that in the time of the said Riott, hee did in the Church aforesaid use actuall violence and smiting with the hands, on the person of one there assembled, who endeavoured the mayntayning of peace &c.

The said Thomas Woodall Censured as aforesaid, And to put in sufficient Bayle for his good Abering untill the next Goale delivery.

(6) Robert Wilkeson of Pagetts Tribe, and John Richards of Tuckers Towne Quakers, presented as first aforesaid.

Unanisly Censured to give in sufficient Bayle for their good Abering untill the next Geñrall Goale delivery.

(7) ffrancis Estlake of Pagetts Tribe, Quaker, presented, for that on the 5th & 6th of September last past, in the twilight or night, hee did repayre to the house of M^{r} Hen: Vaughan Minister, and at those seasons aforesaid, did foment severall threatning speeches, to the terror & affrightment of his ffamely with predicting destruction to the ffamily as by his libellus paper may appeare. As likewise for that he on the 29th of Septem^{r} last past in company with the rest of his Complicies or Abettors (above mentioned) in forme of a Riott did enter into the Church aforesaid &c.

Unanimously Concluded, That the aforesaid ffrancis Estlocke doe give in sufficient Bayle for his good Abering untill the next geñrall Goale delivery. And in case hee shall misbehave himselfe in the interim, the premised abuses are to be revived, and hee to bee proceeded against, accordingly hereafter.

(8) William Smith of Pagetts Tribe Quaker, presented, for that hee about the Moneth of Septem. last past, did utter and foment words highly tending to the dishonor of God Almighty, and to the derogation of his Soveranity. As also for setting forth, by speeches, severall prophesies, importing the temporall and eternall destruction of one of his Maiesties Liege Subjects.

As by Evidence, and the Statute Lawes in such cases provided will appeare. See 5th yeare of Elizabeth Cap: 13th fol 1035.

The said William Smith unanisly Censured by the Governor & Councell. To make his Acknowledgement of sorrow for his aforesaid offence in the Court, and to put in sufficient Bayle for his good Abering untill the next gen̄rall Goale delivery.

(9) The Goverm^{t} of these Islands haveing these severall yeares past transmitted the severall Grand Inquests Agreevances touching the Cariage of the Quakers of these Islands, unto the Honourable Companies consideration for redress. And the Companie not haveing as yet sent their Determination about them. The Goverment hath forborne to proceede against them, hopeing they will use so much Xistian prudence as to walk inoffensivelie towards the Magistracy & Ministery and all the Inhabitants of these Islands, Not concurring with them in Judgments. It being likewise hoped, that they will returne and joyne with the Ministery in the Churches and publick Congregations.

64. Articles of Church Wardens, Oath, &c.

Entered as a Memorandum Vol. v. B., page 209, under date 1667.[1]

Articles, and Oath of a Church Warden.

1. The Church Wardens and Sidesmen shall take care and provide that the Church shall be well and sufficiently furnished with all decent necessaries and Ornaments.

2. They shall be carefull That the Church, And all things thereto belonging, shall be sufficiently repayred, And from time to time kept and maintained.

3. The Church Wardens, against the tyme of everie Com̄union shall at the Charge of the Parish, with direction of the Minister, provide a sufficient quantitie of fine White Bread, And of good and wholesome Wine for the number of Com̄unicants that shall from time to time receive there.

4. The Church Wardens and Sidesmen shall suffer none to walke, or stand idle, or taulke, or use any unreverent gesture in and about the Church dureing the tyme of Sermon or other religious Exercises.

5. And to prevent and detect such misdemenors as are often practised by those who absent themselves from Church. The Church Wardens and Sidesmen shall in the tyme of divine

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[1] Compared with the Instructions of 1623 (i. p. 318), from which they are abbreviated, these indicate a less inquisitorial spirit, but no change in the nature of the office.

Exercises, goe forth of the Church, And shall search the most suspected & worst places. And shall compell all such as they shall finde (haveing noe great or urgent cause of absence) to come to the Church.

6. They shall observe the Cariage and lives of the people, and shall forthwith inform the Minister of all such scandalous Crimes (to witt Sabbath breaking, Swearing, Drunkennes, Uncleannes, Gameing, Quarreling, Rayling and such like) as shall be com̄itted by any of them, Who according to discretion shall either see Reformation by Admonicon, Or shall joyne with them in presenting them to the Governo^{r} and Councell at the next Assizes, according to the Lawes in such Cases provided.

7. They shall faithfullie Collect all such Duties as shall bee necessarie and convenient for the use of the Church And poore of the parish.

8. They shall at the end of their time, or a Moneth after at the latest, give up a iust Accompt of all such monie or Tobacco as they have received, and disbursed, to the Minister, and such persons as shall be appointed by the Parish to Auditt the said Accompt, And shall trulie deliver upp whatsoever is in their hands belonging to the Church or Parish, to the next Church Wardens; To which purpose they shall keepe A Booke of Accompts of all their particular Receipts & disbursements. And at their giveing up of their Accompts, they shall deliver the said Booke to the next Church Wardens.

The Oath.

You shall sweare to observe and performe theis and every of these Articles to the utmost of your power. Soe help you God.

65. The Royal Society, first incorporated in 1662, instituted in 1666 a number of curious inquiries respecting parts of the world then imperfectly known; and we find among them several that relate to Bermuda. It was evidently regarded even then rather as an appendage to Virginia than as the independent Plantation it had now been for so many years. Richard Norwood promptly furnished replies to the questions which related to the tides; and Richard Stafford, some time sheriff and afterwards judge, twelve months later, followed with further information. (See p. 263.)

Q. 13. Whether round about the Coast of the Bermudas, the Tydes keep the same time, and at what a clock precisely 'tis High Water on the Dayes of Full and New Moons; and how high the Water rises then? (Phil. Trans. vol. i.)

An Extract of a Letter, written from the Bermudas, giving an account of the Course of the Tides there, of Wells both Salt and Sweet, digg'd near the Sea; of the Whale-fishing there practised anew, and of such Whales, as have the Sperma Ceti in them.

This Letter was written June 18, 1667, by that Intelligent Gentleman, M^{r} Richard Norwood, living upon the place, and relating as follows;

Sir

I Received your Letter of October 24, 1666, but, whereas you mention another formerly sent, that never came to my hands: Neither had I, before the receipt of yours, the least intelligence of the Institution of the R. Society, founded by the King; but am very glad, that God hath put into the heart of his Majesty, to advance such a Noble designe, and should rejoyce, I were able to add my Mite for the furtherance of it. As to the particulars, you recommend to me, I shall answer to them, as I can, in the order, I find them.

First, touching the Conjunction of Mercury with the Sun, which you say you gave me notice of in your first, not received, and which happened Octob 25, 1664. I had also notice of it from Mr. Street, and had provided in some measure to observe it; but the skie was so overcast, that the Sun could scarce be discerned all that day.

Next, concerning the Tides, I have only taken a general notice of them; as, that it is high water about 7 of the clock on the Change-day (in some Creeks an hour or two later.) The water riseth but little, as about 4 foot at a high water; but at the Spring-tides, it may be a foot more. The Tides without are very various in their setting. Sometimes the Tide of Floud sets to the East-ward, sometimes to the West-ward: but in fair, calm and settled weather the said Tide sets from the South-east, towards the North-west, as they say.

We digg Wells of freshwater sometimes within 20 yards of the Sea or less, which rise and fall upon the Floud, and ebb as the Sea doth; and so do most of the Wells in the Country, though further up (as I am inform'd). Wheresoever they digg Wells here, they digg till they come almost to a Level with the Superficies of the Sea, and then they find either fresh-water or salt. If it be fresh, yet if they digg 2 or 3 foot deeper, or often less, they come to salt-water. If it be a sandy ground, or a sandy crumbling Stone, that the water soaks gently through, they find usually fresh-water; but if they be hard Lyme-stone-rocks, which the water cannot soak through, but passeth in

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166⅔–1668.

chinks or clefts between them, the water is salt or brackish. Yet (to mention that by the by) I never saw any sand in the Country such as will grind glasse, or whet knives, &c. as in England, but a substance like sand, though much softer; neither have we any Pebble-stones or Flint.

For the killing of Whales, it hath been formerly attempted in vain, but within these 2 or 3 years, in the Spring-time and fair weather, they take sometimes one, or two, or three in a day. They are less, I hear, than those in Greenland, but more quick and lively, so that if they be struck in deep water, they presently make into the deep with such violence, that the Boat is in danger to be haled down after them, if they cut not the rope in time. Therefore they usually strike them in shoal-water. They have very good Boats for that purpose, mann'd with six oars, such as they can row forwards or backwards, as occasion requireth. They row up gently to the Whale, and so he will scarcely shun them; and when the Harpineer, standing ready fitted, sees his opportunity, he strikes his Harping-Iron into the Whale, about or before the Fins rather than toward the Tayl. Now the Harping-Irons are like those, which are usual in England in striking Porpoises, but singular good mettal, that will not break, but wind, as they say, about a mans hand. To the Harping-Iron is made fast a strong lythe rope, and into the Socket of that Iron is put a Staffe, which, when the Whale is struck, comes out of the Socket; and so when the Whale is something quiet they hale up to him by the rope, and, it may be, strike into him another Harping-Iron, or lance him with Lances in staves, till they have kill'd him. This I write by relation, for I have not seen any kill'd, my self. I hear not, that they have found any Sperma Ceti in any of these Whales; but I have heard from credible persons, that there is a kind of such as have the Sperma at Eleutheria, and others of the Bahama-Islands (where also they find often quantities of Ambergreese) and that those have great teeth (which ours have not) and are very sinewy. One of this place (John Perinchief) found one there dead, driven upon an Island, and, though I think ignorant in the business, yet got a great quantity of Sperma Ceti out of it. It seems, they have not much Oyl, as ours, but this Oyl, I hear, is at first like Sperma Ceti; but they clarifie it, I think, by the fire. When I speak with him (whom I could not meet with at present, and now the Ship is ready to set sail) I shall endeavour to be further informed; but at present with the tender of my humble service to the Royal Society, and commending your Noble Designe to the blessing of the Almighty, I take my leave, &c.

(Signed) RICHARD NORWOOD.

66. Extract from a Letter from the Company relative to the cultivation of Indigo.[1]

Wee have been made acquainted with a designe sett on foote in the Illds for the planting of Indico (*sic*) and the great probabilitie of making the same a more profitable com̄odity than any other hitherto transported from them, and that the party that made the experiments hath bin much obstructed and discouraged therein. And wee doe require you the Governor and Councell to give all encouragement for the planting and making of Indico there, and that you certifie unto us by the next ship the occasion and ground whereuppon the said design hath bin so obstructed and discouraged.

The Ship wee now send you is the Bermuda Merchant 200 tons 14 guns 27 seamen and a boy.[2]

67. The heading of the next entry is wanting. It occurs, together with some succeeding entries, among the wills, and the paging was taken, when the latter were indexed, in 1788, to belong to the same series. It is more probable, however, that these are leaves of another book.

[At a meeting of a General Court for the Somer Islands, probably held in October 1667.]

It was for the better carrying on of the adventure of whale Fishing in the Somer Islands *resolued to go to* great charge in the making of Tarris cisterns, erecting and setting vp of the same in sundry *places, as well for the* dreyning of the Blubber & trying of the Oyle, as for preserving & keeping of the Oyle,

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[1] See a note, vol. i. p. 348.

[2] We learn from the 'Universal History,' that the settlement of New Providence in the Bahamas about this time was due to Captain William Sayle. There is, however, some uncertainty about the date. The second charter to the Earl of Clarendon and others, for the settlement of Carolina, was granted in 1665. Captain Sayle may have been employed by the Lords Proprietors, before his selection to fill the post of Governor, but we are not informed of it. He was appointed Governor in 1669, and left Bermuda in execution of his trust in January, 1670 (vol. i. p. 737).

'In the year 1667, Captain Sayle, an Englishman, in his passage to Carolina, was obliged by stress of weather to land upon Providence Island. Upon his return to England, he made so favourable a report of the Bahama Islands in general to his employers, the proprietors of Carolina, that six of them applied for and obtained a grant for that of Providence, or, as it is sometimes called, New Providence, and of the Bahama Islands in general, lying between latitudes 22° and 27° . . . but although this was the first legal settlement of Bahamas, it had long before been a shelter for pirates, and a disorderly set of people, who lived either upon the wrecks of the ships driven upon those dangerous coasts, or by supplying the mariners who approached them with liquors and other necessaries' ('Universal History,' vol. xxxvi. p. 287).

and whereas this court is informed That the Whales after killed are left to lye some while before *they be cut up* the Oyle dreyning into the sea, and to the diminishing of the fish by being *deuoured* by sea *beasts like*wise, ffor p^{r}uention whereof This Court taking into there consideracon what is reported vnto them in the *premises* by the Grand comittee Do thinke fitt & order that the Husband & Officers in the Islands be required to take care as soon as any whale shall be killed and brought to land that the same be imediately cut vp and the blubber *carryed to* the cedar cisterne And that the sayd cistern be placed aloft so that the oyle may dreyne into the Tarris cisterne[1] and that what oyle shall naturally run from the Blubber, be preserued in the sayd Tarris cisterne and kept distinct as being the brightest oyle and best for sale: and when to be shipped so to be put vp in caske and marked with a distinct marke, And what shall not so run out, that the Blubber be tryed by boyling, and the oyle made thereof kept apart and so put vp in caske & marked with another marke And that care be taken in the Boyling of oyle that it be not burnt as heretofore.

Thomas Marten Secretarie
at a Gen^{r}all Court.

68. At a Council table 15 Nov 1667.

Vpon the petition of William Smith quaker, for his being released of his bond of recognisance for his good abering and appearance at the next Assizes, by plurality of votes concluded that the sayd William Smith, William Wilkeson, Francis Islock and such quakers of Paget's tribe as were bound ouer uppon their good abering at the last Assizes and then and there to appere, vppon Mr. Samuel Wayly Counsellor of the sayd tribe his report of their, the said quakers abering, the aforesaid parties be forthwith cleared of their aforesaid recognisance.

69. At a Gen^{r}all Court for the Somer Islands Company held at Armourers Hall in Coleman street London on munday the 27 Januarie $166\frac{7}{8}$.

The Report of the grand comittee of the 30th September last past (1667) touching Propositions to be made by the Company here to psons in the Somer Islands for vndertaking the manidgement of the whale fishing there having been read

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[1] 'Tarris' was a water cement in universal use in Bermuda, for lining cisterns or tanks, until superseded by the introduction of Roman cement, about the year 1812. It was a compound of brickdust, bottle dust, pounded very fine, with some sand and lime. The adepts in the art of making it, who were all negroes and slaves, pretended to make a mystery of the right proportions of the ingredients. —Hon. J. H. Darrell.

The Court proceeded therevpon as followeth (vidzet) Whereas the Adventure of whale fishing in and about the coast & seas of the Somer Islands hath bin set on foot and carryed on at a very great charge to the respectiue adventurers, amounting in the whole to £2500, a great part of which Sume through the imprudence & neglect of officers and those whose duty it was with all sedulity and care to have manadged the same, hath bin lost and spent, and that many irregularities haue bin comitted, so that the company haue been greatly abused, and the Country in some sort disquieted and discontented: ffor redress of all which and as well for the better ordering and manadging of the said adventure of whale fishing for the future, as for the gratifying of the country: This Court taking notice of the desires of the Inhabitants of the said Islands to them heretofore rep^{r}esented and now againe renewed. Do order and resolue as followeth.

(1) That a Proposition shalbe made for the Company here to the Country of the Somers Islands to & for the manadging of the whale fishing in & about the sayd Islands for & during the tearme of Three years

(2) That the psons accepting of such p.positions, and vndertaking the manadgm^{t} of the sayd whale fishing shall for their labor paynes & charges to be had and taken therein haue & receive one full *third part* of the cleare profitts of the said whale fishing

(3) That in consideration of the said one third part of the cleare pfitts as afore said, the said manadgers to pay & beare the whole charge of fishing for manuring the whale (*sic*), ordering the whale oyle, bone, sperma ceti, or any other the produce of the whale fishing, putting the same vp in caske, & shipping thereof. And also the said manadgers one third parte of the charges of all Boates, cisternes, coppers, harping yrons, lances, warpe, tackle, furniture, caske, instruments, and any other vtensils whatsoeuer, that shalbe prouided & employed from tyme to tyme in & about the said whale fishing. And also the said manadgers are to pay and bear one 3rd parte of the charge for freight of the whale oyle or any other the produce of the said whale fishing for and during the sayd tearme of Three yeares.

(4) That for the better encouragement of the sayd manadgers of the whale fishing This company shall & will grant to the said manadgers That they shall haue deliuered vnto them by Inventory & Tally from the Husband or other the officers of the company all such Boats, cisterns, sheds, coppers, kettles, harping Irons, lances, warpe, tackle, furniture, caske, instruments, or any other vtensils whatsoeuer, of and belonging to this Company that are now in the Islands to be employed and made vse

of by the said manadgers in the s^{d} whale fishing for and during the s^{d} tearme of Three yeares, they the said manadgers paying and bearing one 3rd pte of the charge for repayring & amending the same, when and as often as need shall require, at the end of the said tearme of three yeares deliuering vp all the pticulars afore said by like inuentory & Tally to the said comp^{ie} their Husband or other officer, in like condicon as they were deliuered, weare & teare & vsage excepted

(5) That the Company here shall & will pay & beare two 3rd parts of the charge for making amending or repayring of Boates cisterns sheds coppers harping Irons lances warpe tackle furniture caske instruments or any other vtensils w^{t}euer that by the said manadgers shalbe necessarily prouided & employed in manadging the sayd whale fishing, and also shall & will pay & beare two-3rd ptes of the charge for fraight of the oyle or any other the pr.duce of the s^{d} whale fishing

(6) The s^{d} Comp^{ie} do promise That if they shall find that the sd manadgers shall behaue themselues industriously diligently & faithfully in the p^{r}mises The Company shall & will enlarge their tyme for further employment in the manadging of the said whale fishing

(7) Lastly that the comp^{ie} & manadgers shall joyntly agree that all the whale oyle or other the prduce of the whale fishing that shalbe had or made in & during the said Three yeares shall be shipped and brought to the port of London, and there sold, and of the clear pfitts thereof the sayd compie to haue Two thirds part, and the manadgers one third part.

And to the end that proceedings may be regularly had as well in publishing as prosecuting of these proposals This Court do require the Gouernor & Councell in the Sd Islands That imediately vpon receipt hereof they cause a Generall Assembly there to be called, and that these proposals be comunicated vnto them And if the said generall Assembly shall thinke fitt to embrace them Then this Court doth recommend it to the said Generall Assembly to make choice of so many men as they shall think fit, for and on behalfe of the country to manadge the said whale fishing on the termes and conditions aforegoing.

Thomas Marten, *Secretarie.*

70. Captain Florentius Seymour was superseded by Captain Samuel Whalley in May 1668, to reappear as Governor for a short time in 1681. We have the annexed note of the modest equipment he left to his successor :—

A Note of what Goods & Chattells Capt fflorentius Seymer, late Governour left with his Successor, Capt Samuell Whalley Governo^{r}, In or about the Governors house for the accomodation of succeeding Governours

One Bull, and seaven Cowes in the grounds.

Three hhds of Corne, but not casked.

4 Corne Barrells.

One faire Bedsted over the Governors Chamber, good.

One halfe hedded Bedsted in the Cham^{r} at the stares hedd, good.

One Trundle Bedsted in the Porch Chamber, good.

One whole hedded Bedsted in the Hall Chamber, verie defective.

In the Chamber next the Church, One whole hedded Bedsted, good.

Sixe new hhds paid for by the publique (made by Capt Asser) for the use of the present Governour Capt Samuel Whalley and his successors.

RICHARD STAFFORD Sheriffe.

November the 23rd 1668.

CHAPTER XIV.

THE GOVERNMENT OF CAPT. SAMUEL WHALLEY, 23 MAY, 1668—15 MAY, 1669.

CHAP. XIV. 1668–1669.

Very little can be gathered concerning Captain Samuel Whalley from the records of his short government, except that he incurred the denunciation of one of his ministers, whom he ultimately imprisoned for contumacy, for which he was censured by the Company. He evidently gave no satisfaction to his employers, and was probably superseded. The Company in 1670 dismissed him from the Council (p. 299).

1. Extracts from a General Letter to Captn Samuel Whaley, dated London 6th February 166$\frac{7}{8}$.

(1) Forasmuch as We have received information that 70 negroes have been taken (as it is said) by Capt Jo: Wentworth from Tortola in the Virgin Islands, and brought into the Somer Islands, 7 of which negroes and a boy, having (as it is said) been secured by you the Governor and Council in the Islands, as the tenths of the whole, belonging to his Royal Highness the Duke of York. We do order and require you the Governor and Council to examine the whole matter of fact, and set forth particularly, by what authority the said 70 negroes were taken from Tortola, and how and in what manner, and by whom. Also how and in what manner they were brought into the Somer Islands, and how disposed of there, and to whom, and upon what terms; and certify the same unto us by this ship. And that you the Governor and Council do take care, that the said Eight Negroes be employed in the Company's Service, and disposed of proportionably as you the Governor and Council shall think fit, into the hands of those public officers of the Islands that are destitute of Servants and there to be and remain until further order from us. And also that you take care, that none of any of the said 70 negroes, or such of them as were

brought into the Somer Islands, do depart from thence until like further order.

(2) We have also considered of what is intimated unto us by a Letter from Capt Florentius Seymer and M^r Henry Tucker. That the Grand Inquest have, at an Assizes held in the Somer Islands 1667 presented the great necessity of having a Court of Chancery erected there, for the relief of person's otherwise not relievable, where the Action is under £5 for which no appeal is to be admitted according to our Order of the 2nd of October 1654. And we have ordered and appointed you the Governor and Council in pursuance of the printed Law Art: 175 to relieve in equity such persons as in the case aforesaid shall make their Appeal upon any verdict at Common Law where the action is under £5. And this Order to stand good, until we shall provide for the erecting of a Court of Chancery as is desired; the which will require such and so many formalities, as cannot easily or suddenly be passed over.

(3) We have been made acquainted with a design set on foot in the Islands for the planting of Indigo, and the great probability of making the same a more profitable Commodity than any hitherto transported from thence, and that the party that made the experiment hath been much obstructed and discouraged therein. And we do require you the Governor and Council to give all encouragement for the planting and making of Indigo there, and that you certify unto us by the next ship the occasion and grounds whereupon the said design hath been so obstructed and discouraged.

(4) We are sorry that an occasion is given us to tell you that our Laws and Orders have had but little regard (some of them at least) with you, as witness our Order of the 9th of December 1664, debarring of persons to practice as Attornies, that have not been admitted thereto or licensed by us, which Order hath been proclaimed in the Islands, and upon further complaint reinforced by us, and you the Governor and Council strictly required to put the same into execution, and yet the matter of complaint continues, as if no such Order had been made, insomuch, that we have been constrained to make a new Order, and hereby to debar by name Leonard White and Will^m Righton, against whom We have directed you how to proceed if you shall find them, or either of them to be contumacious; as also against all other persons that shall be found to be transgressors thereof, as by the Order itself enclosed, will appear, to which We refer you.

(5) And for other our Orders as well penal as other, made for the regulating of the Whale fishing Adventure; we stand amazed to behold, that the same have been disregarded, and on

all hands avoided by you the Governor and Council, by the Commissioners, by our Husband and Officers as we could easily instance by comparing the Laws and the practice thereof together; and least there might have been a suppression of any of those orders, We have thought good to send over transcripts thereof attested by our Secretary. And taking into our consideration the woful neglects, misdemeanours and miscarriages of M^{r} Hugh Wentworth our Husband tending to the breach of his trust and abuse of his office. We have ordered, that he be sent for, and come over in the ship, to answer the same before us, and to give satisfaction. . . .

2. Letter from Governor Sam. Whalley to Rev^{d} Sampson Bond February 8th 166$\frac{7}{8}$ entreating him to baptize his infant.

Hono^{d} Sir

M^{r} John Wainwright hath beene with mee even now he saith M^{r} Vaughan will Baptize my Child if I will bring itt to him, but will not recant his curseing (I must & others doe judge itt) of mee and my posterity in the name of the Lord, but saith hee did itt from God & must abide by itt, & saith hee hath don mee noe wrong. I desired M^{r} Wainwright to write soe much to you, but hee refused & said alsoe his being att the Lecture on Wednesday next was uncertaine wishing M^{r} Vaughan and I might agree, which (considering the spirit of the man) is next to an impossibility, unlesse I will quitt my Innocence, and truly Sir, I will quitt my life first, soe that if you please to baptize my infant, I shall take itt as a Christian favo^{r} from you, and I purpose to bring itt tomorrow if God pmitt, yo^{r} pleasure heer in I pray signify to mee by this bearer in writeing & you^{r} oblig^{r}

S^{r} you^{rs} cordially to serve you in my capacity,

Pagetts Tribe ffebru^{ie} 8th 166$\frac{7}{8}$. SAM^{L} WHALLEY.

ffor my honoared ffriend M^{r} SAMPSON BOND Minister of Gods word at his house in Pembroke Tribe.

3. At a Pipepowder (Piepoudre) Court held at S^{t} Georges.

uppon the motion of M^{r} Thomas Gwin, and M^{r} Solamon Robinson, the 6th day of May 1668. Then & there present, Capt fflorenūs Seymer Governor,[1] Capt William Sayle, Capt John Rawlings Sheriff, Capt ffrancis Tucker, Capt Rich^{d} Jennyns M^{r} Rich^{d} Woldridge, M^{r} Joseph Moore and Henry Tucker Secretie.

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[1] This appears to be a slip of the pen. Capt. Whalley was Governor.

The Names of the Jurors.

Capt Edward Stone,
M^r Samuell Stone,
M^r John Winge,
M^r Joseph Nash,
M^r Thomas Griffin Jun^r,
M^r Hamond Johnson,
Capt John Stowe fforeman,
Capt Giles Marsh,
M^r Richard Pearse,
M^r William Peaselie,
M^r Samuel Meriwether,
M^r William Pitt,
M^r Michaell Burroes.

Solamon Robinson, Pt
against
The Shipp Blessing, and the goods aboard thereof } Def
An Accon of the case Damage 300^{ls} sterl.

We find for the Plaint to keep the Shipp Blessing in his possession untill the full sum of 81^{ls} 8^s & 9^d be fullie satisfied by the defend^t. And the Defend^t to pay all charges at the present Action.

Thos Gwin Pt.
against
Solamon Robinson Def^t.
An Action of Deft y accompt 150^{ls} sterling.

We find for the Plaint £8 for the curtaines, and 14^s for Rums. And for the Sugar and rest of Accompt, wee leave it as wee found it, for want of further evidence. And the Defend^t to pay the charges of the present Action.

4. The following are inquiries of the Royal Society, for Virginia and the Bermudas, referred to at p. 252, which were answered by Richard Stafford:—

7. Whether there be in the Bermudas a Poison-weed, like our Ivy, whose leaves do by the touch cause Blisters. And a Reed, whose juyce or infusion causeth Vomit?

9. To give a particular account of the Spider in the Bermudas, said to be large and beautiful for its colours; weaving a Web betwixt several Trees, which is affirmed to be for substance and colour like perfect raw silk; so strong, that Birds like Snites,[1] are shared therein?

13. Whether round about the Coast of the Bermudas, the Tydes keep the same time; and at what o'clock precisely 'tis High-water on the Dayes of Full and New Moon; and how high the water rises then? And the like on the Coast of Virginia and Florida?

5. An extract of a Letter, written to the Publisher of the Phil. Transactions, from the Bermudas by Mr. Richard

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[1] Snite, an old form for snipe; see Willoughby's 'Ornithology,' p. 290.

Stafford; concerning the Tydes there, as also Whales, Sperma Ceti, strange Spiders-Webbs, some rare Vegetables, and the Longevity of the Inhabitants.

Sir, Yours, Dated Feb. 10. 166$\frac{7}{8}$, came to the hands of my honour'd Friend Mr. Richard Norwood, together with the History of the R. Society and the Phil. Transactions, which he hath received as a singular favour. But having at this present weighty business lying upon him, which hindred him from answering your desires by this Ship with his own hand, he sollicited me to do it for him; which I am very willing to comply with him in, as far as I am able. But I shall come short in many things at present; but what is wanting now, may be supply'd hereafter. For, the season of the year will not afford many things which you desir'd in your Letter.[1] By the next opportunity there shall be Roots, Seeds, and Fruits provided for you. At present I shall informe you, that the Water about our Island does not flow, by any Mans Observation, above five Foot; and that but at one season of the year, between Michaelmas and Christmas; at other times not above three Foot. It is High-water, when the Moon is about an hour high; and the like after her going down. It flowes in from the North-West and runs to the South-East nearest, and in that part of the Land which lies most to the North-West, there is High-water soonest. But the Tyde does not alwayes ebb and flow directly that course round about our Coast; but, I suppose, the reason is, that some points of Land, or Sholes, may turn its North-West and South-East course.

We have hereabout very many sorts of Fishes. There is amongst them great store of Whales, which in March, April and May use our Coast. I have my self killed many of them. Their Females have abundance of Milk, which their young ones suck out of the Teats, that grow by their Navell. They have no Teeth, but feed on Mosse, growing on the Rocks at the bottom during these three Moneths, and at no other season of the Year. When that is consumed and gone, the Whales go away also.

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[1] 'The things desired, as to Vegetables, were: 1. To gather the smaller Fruits, and dry them in the Air, and in the Shade, till they are as dry, as Raisins or Figgs are usually made. 2. To open Fruits of a larger kind, and the Stones or Kernels being taken out, to dry them. 3. To send Seeds, or Berryes, when they are ready to drop off, with as much husk or skins upon them, as may be. 4. To wrap up Roots in Mosse or light Earth, and to keep them, as much as is possible, from any dashing of Sea-water in the Voyage. 5. To set Plants or young Trees in halfe Tubs of Earth, arched over with hoops, and covered with Matts to preserve them from the dashing of Sea-water; giving them Air by all means every day, the weather being fair, and watering them with fresh water once a day. 6. To send of all the sorts of Potatoes in Earth. 7. To send all sorts of Berries, Grasses, Grains and Herbes, wrapping up the Seeds very dry in paper.'

These we kill for their Oyl. But here have been Sperma-Ceti-Whales driven upon the shore, which Sperma (as they call it) lies all over the Body of those Whales. These have divers Teeth, which may be about as big as a Mans wrist; and I hope by the next opportunity to send you one of them. I have been at the Bahama-Islands, and there have been found of this same sort of Whales dead on the Shore, with Sperma all over their Bodies. My self with about 20 more have agreed to try, whether we can master and kill them, for I could never hear of any of that sort, that were kill'd by any man; such is their fierceness and swiftness. One such Whale would be worth many hundred pounds. They are very strong, and inlay'd with sinews all over their Body, which may be drawn out thirty fathom long.

There is an Island among the Bahama's, which some of our People are setled upon, and more are going thither. 'Tis called New-Providence: where many rare things might be discover'd, if the People were but encouraged: And I am of opinion, there is not a more healthful place in the World. 'Tis stored with variety of Fish and Fowl, and with divers sorts of Trees and other Plants, whose qualities are not yet known

As to the Age of our Inhabitants here, some do live to an hundred years and something upwards; many live till they are nigh a hundred, but few above: And when they dye, 'tis age and weakness, that is the cause, and not any disease that attends them. The general distemper that is yearly amongst us, is a Cold; and that is most gotten in the hottest weather.

The Air here is very sweet and pleasant. Our Diet is but ordinary, and the People generally poor, and I observe, that poor People are most healthful

You shall receive of Captain Thomas Morly, the Commander of our Magazeen-Ship, such things, as I could at present procure.[1] Among which you shall find of the Leaves and Berries of that Weed you inquire after, which we call Poyson-weed, growing like your Ivy. I have seen a Man who was so poyson'd with, that the skin peel'd off his Face, and yet the Man never touch'd it, onely look'd on it as he pass'd by: but I have chaw'd it in my mouth, and it did me no harm. It is not hurtful to all.[2]

Here are Spiders, that spin their Webbs betwixt Trees standing seven or 8 fathom asunder; and they do their Work by spirting their Webb into the Air, where the Wind carries it

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[1] But these particulars could not be found in the ship.—Note by Royal Society.

[2] This observation as to the effects of *Rhus toxicodendron* is well founded; people differ singularly in their susceptibility to the poison. It had no effect on the writer, but is much dreaded by most persons. See p. 344.

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from Tree to Tree. This Webb, when finisht, will snare a Bird as big as a Thrush. Your self may prove it, for I have sent you some.

As to the Bark of a Tree, with which we are said to cover our Houses, that is an error; for 'tis not the Bark, but the Leaves of a Tree, which we put to that use. And 'tis the Palmetto; without which Tree we could not live comfortably in this place. The Leaves of some of these Trees are eight or ten foot long, and nigh as broad. I know no Tree in the World, that can equal it in the number of Commodities it affords.

'Tis reported, that in Virginia and upon the Coast of Florida the Indians live to a very great age; and that some of the People are of a Gigantick Stature, and stronger by farr than others.

As for the Eclipses of the Moon, you would have observ'd here, and be inform'd about, I can say but little of them: but, I suppose, my worthy Friend Mr. Norwood will give you an account thereof to your content. If any thing should cause him to faile, it will be Age and weakness. He hath a great desire to serve the R. Society in every respect; which shall engage me also to serve both them and you to the utmost of my ability, remaining, &c.

(Signed) Richard Stafford.

Bermuda, July 16. 1668.

6. At a Councell 2nd Julie 1668.

(1) It being propounded to the Councell to consider, whether the persons who had earned & received oyle according to such Contracts as the Husbands have made, As likewise whether the Creditors, and persons employed uppon the whale ffishing designe, shall be permitted to dispose of, and send awaie such oyle as is, or shall be accruing unto them, in what Shipp, and unto what Port of his Maiest^s Dominions, as they shall think fitt. It is voted on the affirmative. The Govern^r & M^r John Burch dissenting.

. . . .

(2) The 70 Negroes, and the childe brought into these Islands by Capt John Wentworth, and by him tendered and Delivered to the Governm^t of these Islands the last day of Julie 1665, in behalfe of his Highness the Duke of York, accruing unto his said Highness as his tenths. (the said Negroes being prize goods or Chattels.) The Honob^le Company haveing Ordered by their late Magazine Shipp, the disposall thereof to their subordinate Officers of these Islands, which have not their Comp of Servants. It is, thereuppon, Agreed uppon, accordingly, and ordered, that the Negroes and childe in M^r Samuell Smiths possession, as likewise the Negroe man in the possession

of M^r^ John Nicholses Daughters, shall revolve to the Gover^r^ for his service.

The Negroe man in M^r^ Anthonie White Jun^rs^ possession, unto Capt Sayle, as he is Comãnder of the Kings Castle. And the Negroe woman in M^r^ Shawes, and Humpherie Harvies possession unto M^r^ Richard Stafford Sheriffe.

(3) M^r^ John Bristowe, Provost Marshall, appearing at this Councell Table, and craveing leave and libertie of the Governor & Councell to goe for England for his managing his urgent affaires there. And propounding to the Goverm^t^ to accept of his Sonne John Bristowe Jun^r^ to officiate the Marshalls place, And to be Pilot untill hee shall returne againe, Or the Hon^ble^ Companie empower some other person or psons in the aforesaid places of Marshall and Pilot. The Gover^r^ and Councell have, unanimously, consented to his proceeding in his intended voyage. And have, likewise approved of John Bristow Jun^r^ to be a person able and capiable of Officiating the aforesaid places accordingly.

7. At a Councell 14th & 15th Julie 1668.

M^r^ Samuell Smith Minister appearing uppon Sumons before the Governor and Councell, and the Governor and Councell then declaring unto him. That they had determined at the last Councell Table how and in what mañer the severall charges should be supplied uppon the Lords Dayes, by M^r^ Sampson Bond and himself, Ministers. And uppon the sayd M^r^ Smiths againe & againe Declaring that hee was not at the Govern^r^ and Councells ordering him to preach in any other Church than where the Companie (according to his Commission or as hee thought fitt) should please to order. And hee then being by the Govern^t^ advised & Required to submitt as aforesaid, hee replyed, that they had not power to order him, but that it was left unto himselfe. And likewise that hee had as much power as the Goverm^t^ in those respects, with other contemptuous words then and by him expressed. More particularlie when hee was dismissed hee sayd, (thretningly) That once within these sixe or seven Moneths hee should stand uppon eaven ground with the Governm^t^ Whereuppon, it was ordered by the Govern^r^ & Coucell, that unless hee would acknowledge his sorrow for the said Contempt, hee should be Comited to the Marshalsie, there to remaine until hee should declare his submission in relation to the premisses.

8. A Proclamation. By the Governo^r^ 20 August 1668.

Great hath bin the care of my predecessors in their declaring at the severall Assizes held in these Islands, and by their publishing in their proclamations, how much it concerneth the Inhabitants to use their best diligence in makeing upp and ordering their Tobaccos in the most husbandlike manner they may. And because all Masters of ffamilies shall be left without excuse in relation thereunto. These are strictly to Charge & Comand them more especiallie Tobacconists, to improove this Blessing of faire and favourable wether (afforded unto us by the Almightie) by their adding thereunto their best skill, care and dilligence in their handling the same, whereby they will, not onely remoove Odiums cast uppon these Islands Tobacco, but likewise will advantage themselves, (in all probabilitie) in their sale thereof, to the great Content of the Honor^le^ Company by our soe acting. Moreover these are to advertise all mañer of Inhabit^ts^ that if any shall attempt to make payments of any Tobaccoes before the Generall day of Division, uppon any pretence w^t^soever, or to ship any Tobacco uppon any manner of vessells w^t^soever, except the Magazine Shipp, they shall not onely be looked uppon as Contemnors of Authoritie, but shall likewise, assuredly undergoe such penalties, as by the Honb^le^ Companie have bin provided, and in such cases published in these Islands. Given under my hand the 20^th^ day of August 1668.

SAM^LL^ WHALLEY.

9. Memorand 24^th^ Sept^r^ 1668.

Memorand. That uppon the 24^th^ day of Septemb^r^ 1668, M^r^ Samuell Smith Ministere appeared at Town, before Capt Samuell Whalley Governor, uppon his sumons. And hee then propounded unto the sayd M^r^ Smith to submitt to the order of Councell Table of the 14^th^ & 15^th^ dayes of Julie last past. But M^r^ Smith wholie declined to submitt as aforesaid, and alleaged. That the said business was transmitted to the Hono^ble^ Companie, and likewise sayd there was partiall dealing in itt, (or words to that effect:) to which the Governor replied, there was nothing soe done, but that if hee would yet submit to the order, it should all bee of none effect, (or words to that purpose.) And withall caused the aforesaid order to be read. And uppon his againe refuseing to submitt thereunto the Governor did then Signe a Mittimus for his Comitm^t^ according to the contents of the aforesaid order.

10. Extracts from a General Letter.

(1) For Deputy Governor we have elected and chosen Sir John Heydon Knight and by our Commission under our

Common Seal have constituted him Governor and Captain General of the Sum̄er Islands, and we require and command all persons in the said Islands to be obedient to him in the execution of his said office and place, and what he shall command by virtue thereof.

For Sheriff we have made choice of M^r^ Anthony Jenour, and have now sent him our Commission.

For Secretary M^r^ Henry Tucker Sen^r^, and have now sent him our Commission, and do order that he be immediately invested in the said office with all immunities thereunto belonging.

(2) We think fit to inform you our Governor and Council that our Governor in the said Islands is the immediate Officer to us here, to see to the due execution of all such Laws, Orders, instructions and other process as have been or shall be sent from this Company to him, and the Council in the said Islands. And that you the Governor and Council have no power to put any of our Laws, Orders, Instructions or other process to the vote, or in the least to dispute the same; and we do hereby command and require you our Governor and Council to forbear disputing the same. And that you our Council be assisting and furthering to our Governor and Sheriff, that all our Laws and orders be exectly pursued and executed, and you our Governor we command, that if any of the Council after the receipt of this our letter shall be so bold as to desire or require you to put any of our Laws or orders to the vote, that immediately you discharge such person from the Council, and that thereupon you appoint some fit person to supply his place until such time as the Company here proceed to a new Election; and that you the Governor send us the name and demeanour of such Councillor or Councillors as shall act contrary to our Commands, that we may make choice of other fit persons in their stead, and proceed against them according to their demerits.

(3) We command you our Governor without delay to issue out your warrant to the Sheriff to execute all such Laws and Orders as we have or shall send you, unless we shall think fit from home to direct any warrant immediately to our Sheriff; in which case we command you our Governor and Council to see that the same be duly and speedily executed, and that you be helpful and assistant therein.

We think good to inform you, that our Sheriff is, and so ought to be taken as Sheriff and our officer, so far as our Jurisdictions do extend, and accordingly to be obeyed both at land and sea, and we expect and require that he be obeyed and observed accordingly.

And we do command all Justices, Councillors, Constables, military officers, and all other persons both by land and at sea to assist our Sheriff in the execution of his office, if thereunto required, upon pain of fine and imprisonment, and that in case of resistance our Sheriff may raise such force as he shall think fit.

(4) You acquaint us you have caused our Laws and Orders sent you by the last Magazine ship to be proclaimed and published. We expect and require you by this our Magazine ship to send us an account how our said Laws have been executed.

(5) We have received the answers of several persons to the claim of Henry Sandys Esq^{r}, but have not as yet proceeded to make any order therein.

(6) We have taken into consideration the petition of William Peniston and James Farmer touching the Company's Duties for Tobaccos by them landed in Ireland, and what you write in their behalf, and have ordered that they shall be discharged of the same upon payment of £25 ready money or prime good Tobacco, the which we order you to consign to our Treasurer by this our Magazine Ship. But if they refuse or delay payment of the said 25^{lbs} accordingly, Then we order you to demand and levy the whole duties from them accordingly to our order to you in our last General Letter, such Duties being £92 odd money.

11. At an Assizes held at S^{t} Georges 13th December 1668.

(1) Christian North, widdow, of Hogg Bay in Sandis Tribe accused of witchcraft by Miriam Ward of Pagetts Tribe, according to an attestation taken on the 12th day of September 1668 by Capt. Samuell Whalley Gouer^{r}.

Uppon the Grand Inquests examination of the aforesaid Miriam Ward, and her said attestacon, They returned Ignoramus. wherevppon shee the said Christian was quitted by Proclamacon.

(2) Whereas Robert Powell of S^{t} Georges, Cooper, hath bin some yeares past an Infamous person (as by records it doth appeare) But hee having demened himselfe orderly of late yeares past, the said Powell hath bin, thereuppon, By Proclamation in Court, Cleered.

12. A Proclamation. By the Governor. 5 January $166\frac{8}{9}$.

(1) The Grand Inquest haveing at our late Assizes presented abuses obvious to their observations, I shall, (with the Concurrence of the Councell) inflict suitable punishment (Consonant to his Maiesties Laws, and the Hono^{ble} Companies severall Orders) uppon all mañer of Transgressors thereof, whensoever they shall

be detected. And shall expect, according to the aforesaid Inquests desire, all dilligence in inferior Officers, more especiallie Constables, in discovering drunkenness, swearing and lying. And whereas it was ordered at a former Assizes, that such persons as were guiltie of the sinn of ffornication should have their names published in the Tribes Churches where they lived, onlie; It is now ordered, That such Transgressors names (for the deterring of others from committing the aforesaid Sinne) for the tyme to come, shall have their names published in all the Churches of these Islands.

(2) And forasmuch as defects in the highwaies of some Tribes and places in and about these Islands have bin presented. It is, by myselfe and Councell expected, that there be a speedie alteration and emendation thereof, for the advantage of the genrall Inhabts, as well horsemen as foote-men.

(3) And for the prevention of evill practices amongst us, arising from defective or false measures between buyers and sellers. Myselfe and Councell have thought fitt to order. That all man̄er of measures be brought to the Sheriffe at his quarter walkes, soe that the aforesaid abuses may bee rectified and remooved, by his comparing them with the true measures of London, and by his marking them with such signall mark as hee shall think fitt. By which sealed or marked measures in the respective Tribes and at Towne, all manner of persons are allowed to buy and sell, and not by any other uppon the penalties of England provided in such cases. Given under my hand the 7th day of Januarie Ano: Dom: 1668.

SAMLL WHALLEY.

13. At a Councell 12th Januarie 166$\frac{8}{9}$.

Ellen the wife of Jarvis Inglesbie Junr. By plurality of votes of Councell censured to be whipped immediately after the Lecture is ended at Devonshire Tribe Church with 39 lashes uppon the naked back. If she confessed who was the father of her Child, only to be whipped with 15 lashes.

14. At a Council 27th Januarie 166$\frac{8}{9}$.

Uppon Mr Jonas Bentham and Mr Jack Jacobsons assembling together at St Georges upon the 20th day of this Instant ffebruarie 1668. And in Contempt to the Government of these Islands, voluntarelie takeing and putting each other into his Maiesties prison (videlzt) the stocks standing before the Governors house, they then, likewise bringing with them, and there drinking of Wine at their pleasure. Uppon the Secretaries

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Complaint of the said notorious abuse comitted in his sight; by them the sayd Bentham and Jacobson. Confessed the 22nd day of the aforesaid ffebruarie before Capt Samuell Whalley Governor. The sayd parties have bin thereupon, by the aforesaid Governo^{r} censured to lie in prison untill they would submit to pay 20*s* apeece for the said ffact, which monie hath bin accordingly payd by the sayd parties for the use (according to Law) of S^{t} Georges parish where the aforesaid offence was comitted.

15. At a Quarter Court for the Som̄er Islands Company Wednesday 10th ffebruarie 166$\frac{8}{9}$.

(1) Whereas forraigne persons of dangerous & irreligious principles com̄only called Quakers,[1] both men & women, for severall yeares last past, have resorted and come to the Som̄er Islands, and after their soe coming, have not only vented among the people there their pernitious errors tending to irreligion & Atheisme, but also have vilified & affronted the Ministers of the sayd Islands, and raised & caused differences among the Governours themselves, to the endangering the publick peace, and the discouragement of the Ministers. And that notwithstanding an order made by this Court 9th ffebruarie 1664, for the punishing of persons soe doeing, and the preventing of the comeing of any foraigne Quakers into the Country for the future, yet the cause of Complaint continues still, as if noe such order had bin made. Bee it Enacted and Ordained, That all and every Master of any Ship or vessell that shall repayre with his or their vessell or ship to the Som̄er Islands, & shall have aboard any foraigne Quaker or Quakers, knowing him, her or them to be such, shall give good Securitie to the Governor of the sayd Islands, to keep such Quakers or Quaker aboard his or their ship or vessell all the time of their being with such ship or vessell at the said Islands. And upon his or their departure with such ship or vessell from thence, to cary off from the said Islands, all & every such Quaker, under the penaltie of 100^{ls} to be payd by every Master of such ship or vessell that shall offend in the premises upon conviction of the person so offending, either by his owne confession, or the Oath of two or more Witnesses to be taken before the Governor, or any one of the Councellors within the sayd Islands, the sayd forfeiture to be payd by every such offender to, and for the use of this Company, to the Sheriffe of the sayd Islands for the tyme being, to be layd out for defraying the publique charge of the Plantation, as by order of the Companie here shall bee directed & appointed.

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[1] These Quakers came from New England and Barbadoes.

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And in case any such Quaker shall come ashore, or be found in any part of the said Islands, contrary to the intent of this Law, The Governor or any one of the Councellors, upon knowledge or Complaint thereof, are hereby required to comitt such Quaker to prison, there to remaine without Bayle or Mainprize until such ship that carryed such Quaker to the said Islands shall carry him or her off, or the first opportunity of shipping shall be offered to carry him or her off from the said Islands. The which the Governor and Councell are hereby strictly enjoyned to see performed accordinglie. And the sayd Governor & Councell are to cause a Copie of this Law to be delivered to the Pilot of the said Islands, for the tyme being, with Comand that he give notice thereof to all and every Master of any ship or vessell repayring to the said Islands; to the end noe person may pretend ignorance.

THOMAS MARTEN, Secretarie to the &c.

(2) An Act against disturbers of the Ministers in the Islands.

Bee it enacted and ordained, That noe yson being the Minister, or publique preacher of, or in any Church, Chappell or publick Congregation within the Somer Islands, and officiating, or doing his duty therein, upon any Lords day, or any other tyme, shall be molested, hindred or disturbed therein by any person whatsoever. And if any person or persons shall within Twentie dayes next ensuing the publication hereof, malitiously, wilfullie or of purpose molest, lett, disturb or disquiet, or otherwise trouble any such Minister or publicke preacher, in doing or performing of their respective places: or in his going to, or returning from such place. Or make or cause to be made a publick disturbance in any part of the Lords day in any of the places aforesaid. It shall and may be lawfull for the Churchwarden, overseer of the poore, or Constable of the parish or Tribe where such molestation, disturbance or fighting shall be, to apprehend, and they are hereby enjoyned to apprehend all & every person or persons so offending. Or in case of escape before such apprehensions, the Churchwardens, overseers of the poore, or Constables of the parish or Tribe where such offenders shall be found, to apprehend them and every of them as well without as with a Warr^{t}, and bring them before the Governor, or any of the Councellors, where any such person shall be apprehended. And if the Governor or any of the Councellors shall find cause, upon his own view, confession of the party, or Oath of one, or more sufficient witnesses (which oath he shall hereby have power to administer) then he shall co̅mitt such person or persons to prison, there to remayne till such person shall find good Sureties to answer the same at the next Generall Assizes, or Sessions to be holden for the said Islands, where, if upon presentment or indictment, such p.son or person shall be found guiltie for malitiously, wilfullie, or of purpose molesting, letting, disturbing, or otherwise troubling such Minister or publique preacher, or makeing disturbance as aforesaid, every yson so convicted shall forfeit the Sume of five pounds to be levyed by distress, and sale of the goodes and Chattells of the party soe offending, and payd over to the Sheriffe of the sayd Islands for the tyme being, to and for the use of this Companie and layd out for defraying the publicke charge of the plantation, as by the Companie here shall be directed and appointed. And in case of Disability the said Governor & Councell shall send such person to the house of Correction or workhouse, to bee sett to hard labour, with such moderate correction as in the discretion of the said Gov^{r} & Councell shall be thought fitt, for some tyme not exceeding three Moneths.

THOMAS MARTEN.

16. At a Great and Generall Quarter Court for the Somers Companie holden at Armourers Hall the 20 Ffebruarie 166$\frac{8}{9}$.

Be it enacted and Ordained That euery person in the Som̅er Island that is now marryed vnto or shall hereafter be marryed vnto, or shall take to wife any person professing herselfe to be a Quaker or commonly reputed taken or knowne to be a Quaker, euery such person shall be, and is hereby made vncapable of holding bearing or enioying of any Office or place of public trust in the sayd Islands. And all and euery such person soe marryed as aforesaid are hereby required to forbeare to act in such office, as he or they will answer the contempt of the power and authority of the Company.

17. At a Quarter Court by adjournment held for the Som̅er Islands Company at Armourers Hall in Coleman Street London on Monday the 22nd of February 1668.

Upon the motion of M^{r} Arthur Jones a Member of this Company Ordered that a Liberty be, and is hereby granted unto the said M^{r} Jones or his agents to transport in the good ship the Som̅er Islands Merchant now bound for the Som̅er Islands, or in any other ship or vessel, four tons of Cedar trees already fallen, and lying upon spoil, being the growth of his the said M^r Jones Lands in the said Islands, to be employed to and for the particular use of him the said M^r Jones, any Law, Order, Injunction, prohibition or restraint to the contrary thereof in any wise notwithstanding.

THOMAS MARTEN Sectie to the Company

18. The next letter, dated March 9, 166$\frac{8}{9}$, is, according to the Company's custom, addressed to the Governor elect, and refers to a letter of July 15, 1668, as his letter, although he did not arrive in Bermuda until the May following, and the person officially responsible was, of course, his predecessor, Captain Whalley.

Sir John Heydon

(1) Your Generall Letter of the 15 Julie last past transmitted vnto vs by our magazeene shipp Capt Thomas Marten Comman^r which through the blessing of God arrived with vs in safetie, wee received the 15th September following, together with many other Letters and papers and as to manie of these, as tyme and opportunitie would admit vs to giue answers wee returne you the accompt following.

(2) And first we give you to understand that you have altogether mistaken us in our Command (which was absolute) for shipping aboard Captain Morley 20 tons of oil: we did not direct of that year or of the fishing the year afore, but of such a quantity of oil. And the consequence of this your mistake hath been, that the best oil hath been left behind, and that which you have sent, hath proved a great part of it, drugs, and such as the buyers of it have complained of to us, and we thereupon have been enforced to abate of the price they had agreed to pay. And to pass by many indiscreet expressions (to say no more of them) in that your General Letter, which we can hardly digest, we are enforced to take notice of what you write touching the Oil sold to the Laborers employed in the Whale fishing, and a liberty by you given to them to ship away such oil, otherwise than by our Magazine Ship, the which although expressly contrary to the letter of our Orders made touching the Whale fishing against trading in any Whale oil by any person save the Company only, and transporting the same to any port save to the port of London, and so is confest to be by your said letter, yet this liberty is by you pleaded for, with hopes of indulgence therein from us, and we must tell you whatever is or may be suggested by you to the contrary. That we do, and shall expect obedience to those and all other our Laws and orders which

we would not have disputed or dispensed with by you. And hope for a more punctual observance of them in tyme to come. . . . .

(3) Touching the 70 Negroes seized by Capt John Wentworth at Turtola in the Virgin Islands, and brought to the Sōmer Islands. fforasmuch as it appeares unto us by an Order of Councell Table held in the Sōmer Islands, ultimo Julie 1665 (transmitted unto us) That Capt Wentworth did ingeniously confess to the Councell, That he had noe Cōmission for Seizing of those Negroes; Wee doe declare all those 70 Negroes to be forfeited as a Royalty belonging to the Company. And do order that you the Governor and Councell doe seize them, in whose hands soever they are, or any of them shall be found, to and for the use of the Company, And that you do dispose of them into the hands of the publick Officers that are wanting of Servants, proportionably, there to be and remaine untill further Order from us. And Wee doe further order & require you to transmitt unto us by the next returne of our Magazeene ship, a Compleat & perfect accompt of such Negroes, as the same by our last Generall Letters Wee required, and yet remaine on your part to be performed.

(4) Wee have taken into our Consideration what you have written touching M^r^ Nathaniell White who is now growne aged, and by reason of weakness and infermities of body, not able to preach the Gospell as formerly, and therefore recōmending him unto us for maintainance, as also what is petitioned by Southamton and Sandys Tribes in that behalfe. And Wee have ordered that M^r^ White shall have and enioy the Gleab and Gleab lands belonging to Southamton and Sandis Tribes in the Sōmer Islands, and also shall have payd him by the Company the Sūme of forty pounds p^r^ annum Sallary, untill another Minister shall be sent by us to supply those Tribes, and then that M^r^ White have allowed him by the Company a competent maintenance dureing life.

(5) In the case of M^r^ Samuell Smith Minister who hath bin entertayned by, And received his Cōmission from us to goe over Minister to the Sōmer Islands, and to hold & execute the office of Minister at S^t^ Georges Town, and upon the late vacancy of the Ministers place in Smiths & Hamilton Tribe he was desired by letter from us to assist the other Ministers in the supply of the said vacancy, and pticularlie to officiate to Hamilton Tribe, and it appearing to us That M^r^ Vaughan before his coming over from the Islands had engaged M^r^ Smith to officiate to his the sayd M^r^ Vaughans Charge in his absence; which was also the desire, and with the good liking of Warwick and Padgetts Tribes. Notwithstanding which the said M^r^ Smith by an order

of A Councell Table held in the Islands 2nd July 1668 was appointed to preach to the Towne of St Georges, to Hamilton, Smiths & Sandys Tribes, being from one end of the Islands to the other, And Mr. Sampson Bond whose charge lay in the middle of the Islands to preach to Mr Vaughans Tribes which lay but 2 miles off his owne. And that upon urging of the said Order, And Mr Smiths appealing therefrom unto us, he hath by severall letters set forth his case, relating with all the impossibility of such order on his part to be p.formed, not onely from his weakly constitution of body, but also the distance of places, being from one end of the Islands to the other at least 16 miles long. Since which Wee are given to understand by a late letter from Capt Whalley that the said Mr Smith, for his not complying with the said order, hath bin and is imprisoned. And taking the whole matter into our serious consideration. fforasmuch as nothing of Crime appeares to us to have bin comītted by Mr Smith to cause his imprisonment. Wee declare that the Governor & Councell in the Somēr Islands have noe power to appoint any Minister there to any Charge, then as he is designed by the Company here. And that Wee doe ill repent the imprisonment of Mr Smith. And doe Order his speedy enlargement, leaving him to take his remedy against the prsons that caused his imprisonment.[1]

(6) By the manie Laws by us made, and herewith sent you, you may perceive what our thoughts have bin concerning the people of Somēr Islands, some of these Lawes having had their rise from Complaynts made unto us of many evills and enormities among you justly reformable, others being pursuant to the desires of the Generall Assembly, and Wee hope all of them conducive to the welfare & prosperitie of the Somēr Islands Plantation. And Wee require you the Governor & Councell to take especiall care that they be solemnly proclaimed, but chieflie that they be strictlie executed, and all of them by all psons duly observed. [Then follow the titles of twelve laws, of which an abstract will be found at p. 287.]

19. The Rev. Nathaniell White did not live long to enjoy the Company's provision. He appears to have died about September 1668, and his will, composed in the solemn strain then customary in those documents, contains many interesting bequests; it is, for example,

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[1] Rev. Samuel Smith brought actions at the Assizes of June, 1670, against Captain William Sayle, Mr. Richard Stafford, sheriff, Mr. Edward Sherlocke, Captain George Hubbard, Mr. Richard Woldridge, and others for false imprisonment, and obtained 50*l*. damages from each, against which the defendants appealed, under Art. 175 of the Book of Orders of 1622. See vol. i. p. 219.

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unexpected to find the 'Summa Theologiæ' of Thomas Aquinas bequeathed by him as a precious possession to a brother minister of the same school.

Will of Rev. Nathaniell White.

Jehouæ laus gloria et honor in Secula seculorum Amen

In the Name of God Amen The last will and Testament of Nathaniell White Pastor of the Church of Christ in Sum̄er Islands als Bermuda in the year of our Lord God 1666 and 26th day of the seauenth moneth being in perfect memorie.

Imprimis I comend my spirit breathed from the ffather of speritts into the hands of the redeemer of speritts, my blessed Redeemer the Lord Jesus Christ, to be presented pure & spotlesse vnto the God of speritts in that moment when death shall sue a divorse betweene it and my bodie, in assured hope that I shall (by this meanes) partake of the inheritance of the Saints in light.

Item. I give my bodie to be either interred or intombed in the bowells of the earth, or other creature, as shall seeme good to the infinitelie wise disposer of all things, belieuing (through Christ) that I shall haue part in the first resurrection, and that the second death shall haue noe power on mee.

Item I bequeath my dearlie beloued wife and tenderly affected children vnto the liueing God who gratiouslie hath giuen them vnto me, most humblie beseeching his Sacred Maiestie, and cordially beleiueing that he will be a Husband to the one, and a father to the other accordinge to his promise. As also that hee will keepe them from the euill that is in the world through lust by Jesus Christ.

Item I giue vnto my dearly beloued wife Hannah my negro woman and Samuel her youngest sonne, withal all those children that shalbe borne of her bodie which belong vnto mee after my decease.

Item I giue vnto my sonne Nathaniell White my negroe boy called Nathaniell.

Item I giue vnto my sonne Cornelius White my negroe maid called Sarah.

Item I giue vnto my Daughter Elizabeth Bascome my negro boy called Richard, of which shee is already possessed and also tenn pounds in monie And it is my will that my wife and children to whome I haue giuen my negroes that they be carefull of instructing them in the principalls of religion And in case they shall neglect it, it is my will that vpon seasonable admonition giuen either by the supervisor of my will or any of my children, that remaine faithfull in Catechizing their negroes and not harkened vnto, to reformacon, that the neglected negroe be taken from the partie neglecting it, by the supervisor of my will and be giuen to that partie or person that hath been most faithfull & diligent in instructing his negroe.

Item I giue vnto my sonne-in-law George Bascome a Book debt for goods hee hath had of mee amounting vnto the summe of foure pounds, two shillings and sixpence.

Item I giue vnto my seuen grandchildren, the children of my welbeloued sonne Capt George Bascome, Elizabeth, Marie, Nathaniel, John, Lydia, Marion & Hephzibah, Thirtie fiue pounds sterling in monie current with the merchant to be equallie diuided amongst them, And my will is, that these persons [portions] vidzt the porcons of my grandechildren be within one yeare's space paid by my Administratrix into the hands of Capt Thomas Richards my welbeloued friend, whome I make supervisor of this my last will and testam^{t} for my grandchildren's vse. And it is my humble desire that he would be pleased to imploy these porcons for their aduantage according to his discretion, he my aforesaid supervisor being alwaies accountable for them to my aforesaid grand children with the increase (if God shall be pleased to pswade my beloued friend aforesaid to act as aforesaid) if any bee, alwaies excepting the casualtie or danger of fire and Robbery, in manner & forme following, that is to say at the age of one and twentie yeares or at the day of marriage if they shall so long liue, but if it seeme good to the Almightie God to take them out of the world before that, then the porcon or porcons of such deceased shall be equally diuided betweene the suruiuors.

Item as concerning the rest of my estate not giuen awaye before, which God hath gratiously giuen to me, my will is that it be disposed of in manner & forme following vizt. that after my debts are paid which are not manie, and the Legacies deducted which are but few, my Bookes plate Cattle househould stuffe English seruants monies, and whateuer else shall appeare to be mine owne either within doores or without, an Inuentorie of all being first taken, and then iustly diuided into two partes That the one halfe shall be the porcon of my dearlie beloued wife and the other halfe shalbe equallie diuided betweene my three sonnes Nathaniell, Leonard, and Cornelius White, my first borne to haue an equall porcon with the rest, and soe (his education considered) he hath according to diuine appointment, a double porcon.

Item It is my will, that my bookes and papers (except those that I shall after dispose of) be sent to my son Nathaniell in England, and that he shall sell them, and if the price of them exceed his proportion as I thinke it will, if God blesse them well to his hands, that he pay the exceeding (*sic*) back to his mother

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and brothers. But if through any damage they may receaue by the sea or otherwise the price fall short, that then they make it vp out of their porcons to him.

Item I giue my dearly beloued brother M^{r} Sampson Bond that pretious man Aquinas his Summes [*sic*: Summa Theologiæ].

Item I giue vnto my well beloued sonne in law Capt George Bascome one booke called the Annals or generall Chronicall of England, begun by John Stowe and continued by Edmund How.

Item I giue vnto M^{r} Henrie Vaughan my dearlie beloued Brother Bernardes workes.

Item I giue vnto M^{r} Samuel Smith my dearly beloued Brother the Annals of Nicholas Chonnitas Greeke & Latin.

Item I giue vnto Jacob Morre my brother in case he suruiue mee twentie shillings or to the value in Goods.

Item I giue vnto my Brother Phillip Dunscombe and sister Elizabeth Younge twentie shillings assiue or to the value in goods if they surviue me.

Item I giue and bequeath fortie shillings towards the repayring of the Chappell if it be repayred within twelue months after my decease, but if not then to be equallie divided amongst the poore of Port royall Tribe (Warwick) and Sandys.

Item my will is that my deare & loueing wife be adminis-tatrix of this my last will and testament, and my will is and I heartilie pray my well beloued friend Capt Thomas Richards to be the onlie supervisor of this my last will and Testament to whom as a memoriall I giue twentie shillings to buy a mourning ring with wh I would entreate him to buy and weare for my sake. In witnes whereof I haue here vnto put my hand and seale

NATH: WHITE.

Signed sealed and deliuered in the
presence of vs Leonard White,
Joseph I Clemen's mke.

[No date; the next entry is dated 22 June, 1669, previously to which the will was proved.]

20. The Company re-enacted, 10 Feb. 166$\frac{8}{9}$, their laws for the strict observance of the Sabbath. Every person above the age of ten years was to be held guilty of profaning the Lord's day and subject to fines varying from 12*d.* to 10*s.*, or imprisonment, who should travel by land or by water without urgent necessity, or frequent a public-house, or send for liquor, or absent himself from public worship.

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21. At a Councell Table 13th November 1668.

Uppon Capt John Darrell, and Mr Richard Hunt's appearing and mooveing in behalfe of Mr Samuell Smith, for his being cleared uppon Baile. The Goverr putting it to the vote of the Councell: It is thereuppon Voted by the Governor, Capt William Sayle, Capt fflorentius Seymer, Mr Richard Stafford Sheriffe, Capt ffrancis Tucker, Mr John Wainwrighte, Mr Joseph Moore, Capt George Hubbard, Mr Edward Sherlock & Mr Richard Woldridge. That hee the sayd Mr Smith shall there remaine (videlt in the Marshalls Custodie) untill hee shall submit to the forer̄ order of Government; or untill the Honoble Cōpies pleasure shall be further knowne touching the Order aforesaid.

Mr Richard Norwood, Capt Richard Jennyns, and the Secretaries Votes as followeth.

Mr Richard Norwood wisheth, that hee may be freed uppon Bayle in regard of his weaknesse.

Capt Richard Jennyns, that hee may be cleared uppon Baile untill the Honble Compies pleasure be further knowne.

The Secretarie, that hee may be cleared uppon Bayle untill the Honble Companies pleasure be further knowne: In respect hee hath bin in prison these Seven weeks. And (as hee conceiveth) is in a weake Condition in respect of his corporall helth.

22. Extracts from a General Letter dated 9 March 166$\frac{8}{9}$.

(1) We have chosen and elected for Som̄er Islands as followeth (Vizt) Sir John Haydon Knight, Governor, Commander and Captain General of all the people in the Plantation of the Som̄er Islands. And of all the persons in every or any of them, to whom We have granted our Commission in that behalf. We have continued Mr Richard Stafford Sheriff, and Mr Henry Tucker Secretary. . . .

(2) Forasmuch as Capt John Rawlings who was lately elected and chosen by us to the place and office of Councillor for Paget Tribe in the Som̄er Islands hath absolutely refused to hold or officiate the same as by your last General Letter is intimated unto us. We taking the matter into consideration, and reflecting on the ill consequence of such refusals, and that if the same be not severely punished the Islands may be left without Government, We have fined the said Capt Rawlings for such his refusal to pay the sum of 10£ and ordered it to be levied upon his goods and estate in the Islands, by Warrant from you the

Governor &c directed that the same be paid over to the Sheriff of the Islands for the time being, to be laid out for defraying the public charge of the Plantation, as by Order from the Company here shall be directed and appointed. And we do intimate unto you that in imposing this fine, we did not proceed so severely as otherwise we would have done, in regard Capt Rawlings was the first example, but if any shall presume to offend in the like line, they shall find us to exceed in our fines, and to exact the breach of our orders with far greater severities.

(3) The late Generall Assembly called by Captain Samuell Whalley being dissolved, in regard that since that tyme wee haue chosen and appointed Sir John Heydon Knight to be Gouernor of the Summers Islands Wee doe therefore require you the Gouernor and Council to call another Generall Assembly, and that you doe communicate vnto them the inclosed Letters, as also our propositions for carrying on the Whale fishing in the Somer Islands, and that you returne vs an accompt of their proceedings thereupon by this shipp.

(4) If any Whale Oyle shall be made this yeare, before the arrivall of our Magazeene Shipp at the Islands, Wee doe require you the Governor & Councell to cause to be seized to and for the use of the Company, all such oyle, or any other the produce of the Whale fishing, in whose hands soever the same shall be found. And Wee have Ordered that such persons as have bin at charge & paines in taking of Whales, making of Oyle &c, shall have allowance for the same, according to the Companies tearmes now to be offered to the Generall Assembly. Provided such persons shall become the undertakers of the carrying on of the Whale fishing, and shall consent unto, and Seale the Articles. And for all others that they forfeit and loose their fish, oyle, &c, and be further lyable to the penaltyes in the Companys Orders, made touching the Whale fishing, of which you may give notice unto the General Assembly, if you shall see cause.

(5) And forasmuch as Wee have received Information, That great quantityes of Whale oyle have bin imbezeled and stolen, and transported to the Barbadoes and other places, and much brought to London. Wee doe require you the Governour and Councell to cause strict enquirie to be made, what Oyle, or any other the produce of the Whale fishing hath bin soe imbezeled, stolen & transported, and by whome, And that you returne unto us an exact accompt thereof by this Shipp. ffurther wee require you to cause to be sent home unto us in this shipp all such oyle as was left behind the last shipping, Wee being informed that there were many Tons of oyle soe left behind.

. . . .

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(6) Wee pray you to intimate unto M^r^ Norwood that wee have Considered of his paynes & care in his late Survey of the Islands, and his drawing up & presenting us with a map & modell thereof. And wee have ordered him for the same the Sum̄e of £50 to be paid unto him or his Assignes. And as God shall enable us, Wee shall take his demands into our further Consideration. And thus com̄itting you to the protection of the Almighty, Wee rest

Your very loving friends

Manchester Governor.
Gill : Gerard Deputy
and nine others.

Armourers Hall 9th March, 1668.

23. Of the same date is an imperfect letter separately entered, beginning a correspondence relative to the whale fishery, which, however, does not appear to have been long kept distinct from the other subjects of communication. It was found among wills and valuations :—

. . . . We haue receued a paper attested by Mr Henry Tucker Secretie as a true copy of the proceedings of a large & generall assembly held the 12 June 1668 by which we perceive that our propositions made touching the vndertaking of the whale fishing in and about the coasts & seas of the Somer Islands by the Inhabitants haue not had that entertainment and acceptance as we had hoped they would haue found from the said Generall Assembly And vppon the consideration of the reasons therein offered for not complying with these our tearmes, and the proposals made of other consideracons Wee haue thereuppon returned the enclosed as such offers & tenders on our part, lower than which we shall not grant.

If they shall accept of the tearmes wee now propound the vndertakers may forthwith go on with the whale fishinge They haueing first signed to the Articles, if not wee haue resolued touching the carrying it on in some other way.

Whereas it was among other things proposed unto us by the said Assembly that the undertakers may haue their part of the Oyle deliuered into their possession the first Munday after the 10th of June and liberty granted to dispose of it to any place whatsoeuer Wee doe hereby intimate unto you that we shall not giue way that the oyle shall be carried to any place but to the Port of London And whereas the said Assembly did ground their proposals vppon the charge of the fishing as hitherto managed, Wee doe further intimate vnto you that there is noe reason we should make the Husbands accompts the ground of our con-

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sideracon to those proposals: those accompts being such that we cannot nor shall not allow of as upon view of them and the manifould expenses we haue made unto them, will sufficiently and at large appeare. And thus comitting you to the protecon of the Almighty we rest your very loueing friends

GILBERT GERARD Dep.
and 8 more.

Armourers Hall March the 9th 1668.

CHAPTER XV.

THE GOVERNMENT OF SIR JOHN HEYDON, KT.
MAY 1669 TO JUNE 1681.

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THE government of Sir John Heydon is not only by much the longest, but is also the most remarkable, in the history of Bermuda, for he, with the Company's concurrence, carried it on for ten years without summoning the General Assembly; and as he paid very little attention to the orders from London, he was virtually his own master. Much, however, and often as his employers complained of him, they evidently felt that they could not benefit themselves by a change, and his ultimate recal was due not to their dissatisfaction, but to complaints which reached the Crown. His ability is shown by his triumphant acquittal and subsequent re-employment. Sir John Heydon was connected with the Company before 1656, and was a large proprietor in the islands; he owned, in 1662, about 240 acres, or the equivalent of nearly ten shares, in Ireland Island, Somerset, and Sandys Tribe. In that year he succeeded Colonel Owen Rowe, as Deputy Governor in London, and filled the same office at intervals down to 1668, when he was induced to exchange it for that of Deputy in Bermuda.[1] When the Company was in difficulties in 1683 he gave them his services again. Such a career shows that he was a man of no ordinary force of character. He abated no jot of his authority when recalled in June 1681 to give an account of himself, and did not hand his commission to his successor until he was outside

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[1] These dates are based upon signatures to documents. Deputy Governors: J. Heydon, Oct. 14, 1656; P. Trott, Nov. 1, 1666; O. Rowe, Sept. 19, 1659; G. Gerard, Feb. 6, 1667; J. Heydon, Sept. 13, 1660; J. Heydon, June 22, 1668.

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the town harbour. There is unfortunately nothing known about him, beyond what appears in the voluminous official records of his administration.

1. Arrival of Sir John Heydon.

(1) Saturday the 15th May An Dom 1669, the Magazeene Shipp Som̄er Islands Merchant (Capt John Jenkins Master thereof) came to an Anker in the Castle Harbor: and brought with him Sir John Haydon Knight, the which gentleman was then formallie accepted, entertained and enstalled Governour of these Islands, according to the Honorable Companies Comission and Order to the Government of these Islands, directed to Capt Samuell Whalley, Mr Richard Stafford Sheriffe, Capt George Hubbard, Mr Richard Woldridge, Henry Tucker Secretarie, And manie other considerable persons then present. And after the oath of the Governor was by him the sayd Sir John Heydon taken, and the Companies Genrall Lettr was read: Capt John Darrell for Warwick Tribe, Mr Jonathan Turner for Devonshire Tribe, Mr Thomas Wells for Smiths Tribe and Capt Godheard Asser for Hamilton Tribe, were then, according to the Companies Order, admitted, and sworne Counsellors for the aforesaid Tribes, and Mr Henrie Durham for Southamton Tribe. In the presence of the aforesaid Governor, Mr Richard Norwood & Henry Tucker aforesaid, the 17th day of the aforesaid Month. And according to the Honoble Compes express order in the aforesaid Letter, Mr Samuell Smith Minister was sent for and released out of prison.[1]

(2) Memorand. That uppon Tuesdaie the 18th day of May An Dom: 1669, Sir John Heydon Knight, Governor and Capt Genrall of these Islands, according to the Honoble Companies Com̄ission, repayred to the Kings Castle, And according to the aforesaid Companies Order was entertayned by Capt William Sayle civillie. And the sayd Capt Sayle did resign the Com̄and of the aforesaid Castle to Sir John Heydon, according to the purport of a Com̄ission directed to Sir John Heydon aforesaid, by the Honoble Companie for Sum̄er Islands.

HEN: TUCKER Secretie.

2. A Proclamation. By Sir John Heydon Knight, Governour and Captaine Generall. 20 May 1669.

As the Honoble Company hath given ample Testimonie of their great care and love unto this their Colonie, under his Mai^tie^, by spending much tyme in compiling many wholsom Lawes for the suppression of evills and enormities predominating amongst us, And for the encouragem^t^ of well affected and industrious persons with us. Soe it is the dutie of all, and all manner of Inhabi^ts^ to demonstrate their reall thankfulness by their cheerful and redie complying with the Hono^ble^ Companies expectation. And conforming to such Lawes as they have bin pleased to transmitt for o^r^ mutuall good & comfort. And because all may be without excuse for their knowledge thereof, I have with the concurrence of the Councell, and in our conformitie to the sayd Companies Order, thought fitt to proclayme their Lawes here under written, sent over by this their Magazeene Shipp (the which is to be onladed and reladed in 40 days tyme) strictly charging and requireing all manner of Inhabitants, not onlie to hear them read, but likewise to yeald a due and suitable obedience thereunto. As they will answer the contrary at their respective perills. Given under my hand the 20th of May 1669.

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[1] He had been imprisoned nearly eight months. See pp. 268–281.

JOHN HEYDON.

3. Laws enacted at a Great and generall Quarter court for the Somer Islands Compa: holden at Armourers Hall in Coleman Street London 10 February 166$\frac{8}{9}$.[1]

(1) A Law to prevent the coming of fforaigne Quakers into the Islands. See *ante*, p. 272.

(2) An Act for punishing disturbers of the ministers in the islands. See *ante*, p. 273.

(3) A Law for the sanctifying of the Lord's Day. Renders penal travelling by land or water, frequenting any ale-house, victualling-house, or strong-water house; sending for any wine, punch, rum, strong waters, spirits, or any other liquors unnecessarily; tippling; walking about during the time of public worship; pursuing ordinary callings or doing ordinary work; selling or buying; neglect of public worship. There are reasonable exceptions made and fines enacted.

(4) A Law against adultery and fornication. For the former offence a fine of 10*l.* to 20*l.*; in case of refusal to

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[1] From the Public Record Office, Colonial Papers, vol. xxxiii.

pay, six months' imprisonment; in case of disability, to be publicly whipped. The penalty not to extend to any woman deserted by her husband for three years, or whose husband is by common fame reported to be dead. For the latter offence, three months' imprisonment.

(5) A Law against unlicensed ale-houses.

(6) A Law against entertaining any ship as a magazine ship wherein any member of the Company hath a share. This seems to be aimed at Perient Trott, and places the prohibition on the ground of the proved impossibility of enforcing the laws in such cases.

(7) A Law against councillors selling drink as an ale-house-keeper, victualler, or host of public entertainment.

(8) A Law to prevent stealing. Aimed at prædial larceny, theft of fruits, roots, poultry, &c., by negroes. All negroes abroad without their master's ticket to be arrested and whipped by order of the nearest councillor. Parents of children trespassing to be fined.

(9) A Law for putting out children to service, and to be apprentices.

(10) A Law for raising the value of Spanish coins of eight; that is to say, Seville, Mexico, or Pillar pieces to be of the full value of 5*s.* 4*d.*; Poor and ordinary Pillar pieces of eight, called 'peine pieces,' to be 4*s.* 8*d*; fractional coins in like proportion. The object was to prevent their exportation.

(11) A Law to pay in money to the whale fishing adventure. This law requires the paying up of all shares before the Easter following, under pain of forfeiture.

4. Law passed at a court 22 February 166$\frac{8}{9}$.

A penal order against destroying palmetto trees enlarged. It refers to and enforces Orders of October 2, 1662, and December 30, 1666, and enacts a penalty of 10*l.* for cutting down any palmetto trees by landlords or tenants. Negroes or servants to be whipped.

5. At a Councell Table 9th & 10th June 1669.

Uppon a Complaint exhibited against George Garret of Southamton Tribe, grounded uppon the Attestation of Mr Richard Lecraft averring uppon Oath, that hee had about three weeks last past reprooved the sayd Garret, ffor his telling the Negroes, that they should be made free at the next mustering, when the Governor should cum upp, hee the said Garret then alleaging that Mr Nathaniel Sayle, and Mr Thomas Griffin Junr, had tould him as aforesaid. But uppon the aforesaid Griffins tendering to take his Oath, that hee never had spoke any such words unto the sayd Garret, or ever had seene him before in his life tyme to his remembrance. The sayd George Garret, by pluralitie of votes of the Councell, Censured to be whipt with 21 lashes at the whipping post in Pembrooke Tribe, imediately after the Evening Sermon, the next ensuing Lords Day; and to have a paper pinned uppon his back or breast at or before his punishmt aforesaid.

'George Garret Censured to be whipt, for falslie reporting that the native Negroes are to be freed by the Kings Maiesties Comand.'

6. Memorandum. At a Council Table 22 June 1669.

Mr Samuell Smith Minister, one of the Atturnies of Mr Henry Vaughan late Minister in these Islands, did, at a Councell Table held at St Georges the 24th day of May 1669, require Capt William Sayle to make good certaine words by him spoken uppon the 17th day of the aforesaid Moneth (videlzt) That Mr Vaughan aforesaid, had in the pulpit cursed Capt Whalley and his familie in the Lords name, withall then saying that hee would proove it by 20 oathes: which Charge against Mr Vaughan, the sayd Capt Sayle did at the aforesaid Councell Table owne, and then promised to make good at the next following Councell Table. But hath not as yet made the sayd Charge good, notwithstanding the aforesaid Mr Smiths againe & againe complayning, but hath Appealed to the next Assizes.

7. Rev. Samuell Mavericke, New York, to John Winthrop Jr Governor of Connecticutt. 29th June 1669.

. . . . Heare hath beene lately two vessells from Barmodoes: one bringes a letter from one Mr Sampson Bond, which intimates that himselfe and some hundreds of people haue a desire

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to remove from thence hither if they might heare haue accommodation. It fell to my share to answer the letter, a coppie of which I send inclosed, by which you may see what they desire, and what the Governor grants them.[1]

8. The penal law against Quakers quickly bore fruit, which is thus recorded in the history of that sect:—

Anno 1669 There was now another Governour come over from England, viz. Sir John Heydon, who brought with him Laws for levying one Shilling for every Sunday's Absence of each Person from their Parish Church. This Law being published in the Island, the People called Quakers soon felt its Effect, as appeared by the following Warrant, Viz,

'Summer-Islands.

'To the Church-Wardens and Constables of Paget's Tribe. These are, in his Majesty's Name, to will and require you, or any two of you, to go to the House and Land of Robert Wilkinson, and distress and seize into your Hands the Goods and Chattels of the said Wilkinson, to the Sum and Value of Eight Shillings Sterling, and likewise the Goods and Chattels of Capt Philip Lea, to the Sum and Value of four Shillings Sterling, likewise the Goods and Chattels of Francis Estlake, to the Sum and Value of twenty Shillings Sterling. Likewise the Goods and Chattels of Lieut Thomas Forster, to the Value of eight Shillings Sterling; and likewise the Goods and Chattels of William Smith, to the sum of four Shillings Sterling, for the Absence of the aforesaid Robert Wilkinson and Wife from Church one Month, and the Absence of Capt Philip Lea's Wife from Church one month, and the Absence of Francis Estlake's Wife and three Children from Church one Month, and the Absence of Lieutenant Thomas Forster's Wife and Daughter Anne from Church one Month, and the Absence of William Smith one Month, and the Absence of William Watkins Senior's Wife one Month: All whose Absence is contrary to his Majesty's Laws, and the Laws lately sent from the honourable Company. The Goods of the aforesaid Persons seized and distressed as aforesaid, you are to give them five Days Time to redeem the Goods out of your Hands. If not in that time redeemed, you are to sell the Goods, and the Overplus to return to their first Owners, according to the Law in that Case provided. Hereof fail you not, as you will answer the Contrary at your Peril.

'Given under my hand and seal the 9th Day of August 1669.

'Henry More, Counsellor.'

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[1] Mass. Hist. Coll., series iv. vol. vii. p. 319.

On the 14th of the same Month this Warrant was executed, and Goods taken from several of the Persons concerned, to a greater Value than the Demands made upon them did amount unto.

About the same time John Dorrell, a Justice of the Peace, gave forth a Warrant to the Constable and other Officers in the Warwick Tribe, by Virtue of which were taken from Patience Bullock, for herself and her two Daughters, Goods worth 14s, and from Nehemiah Tatum, for his Wifes Absence, Goods to the Value of 12s.

9. Governors Warrant. 7th September 1669.

To Mr John Bristowe Junr Provost Marshall. By Sir John Heydon Governor

Whereas William Deane of St Georges Marinr hath bin a man of a deboshed life and Conversation, more especiallie since his Mariage. And hath bin Admonished by Magistrates to reforme. And yet, notwithstanding favour formerlie shewed unto him, hee hath not seased to tell his Neighbor (videlzt) Mistrs Katharine Shaw, that he did not care a —— for her, nor for Mr Samuell Smith neither, and bid her goe and tell him soe; with his addition of repitition of manie other reprochfull languages unto her the said Katharine, for noe other cause, then onelie that shee came to his house uppon her hearing of him notoriously abusing and beating his owne Wife, as formerlie hee hath done. These are therefore to require and authorize you, forthwith to take the said William Deane, and him whip, or cause to be whipped uppon the naked back with thirtie stripes. Whereof fayle you not. And for your soe doing this my Warrant shall bee your discharge. Given under my hand the 7th day of September 1669.

(Signed) John Heydon.

10. At a Councell Table 22nd October 1669.

Uppon a motion of Mr Samuell Smith Minister, whether hee may proceede to the Baptizeing of Molattoes, Indians, (and more especiallie) Negroes, or not. It is unanisly determined at the present, not posetively to Determine in and about the motion aforesaid.

This hesitation as to the baptism of slaves is due to a touching superstition never eradicated entirely from the minds of the slave population, even down to the time of their emancipation in 1834—that by the rite of baptism they became, or at least had a right to be, free. It had, of course, no legal basis, and did not prevent zealous clergy from baptizing them. Thus Rev. Alex. Richardson, rector of St. George's, has left a memorandum that in 1756 he baptized 147 and in 1757 377 negroes; but these large numbers are a proof of the general neglect of the rite, and the planters, as a rule, discouraged it.

Being thus more or less excluded from the Church, it is not to be supposed that negroes received her offices in burial. They were buried, it is true, in the parish churchyards, but the funeral service within the present century was read by one of themselves. A respectable old coloured man named Mallory usually officiated in the latter years of slavery.

11. By S^r^ John Heydon Governo^r^ To all and singular the Tenants upon the Honob^le^ Companies publique Lands at S^t^ Georges Parish. And to the Tenants upon the Governo^r^ and Captaine of the Kings Castle Lands in S^t^ Georges and Tuckers Towne. 10 Novem. 1669.

Ordered by the Governo^r^, That all the said Tennants do pull up by hand all Wireweed[1] and Lillies after sufficient Raine, upon their respective Lands. That they plant in orderlie manner Cedar and ffig Trees in all convenient places proportionably to the Land which they possesse. That all publique and private waies bee sufficiently cleared and levelled, and that the High wayes be 12 foote, and the private waies 6 foote broad. That all High wayes bee planted with ffigg Trees, And that the Cattle be kept from iniureinge all the Trees soe planted, or to bee planted. That noe Cedar Trees nor Palmetto Trees be felled, or cut downe without order from the Governo^r^. That noe Cedar trees bee destroyed by makeing fires too neare them.

The premissed orders to bee punctuallie observed by the Tennants uppon the said lands, uppon danger to bee informed against to the Hono^ble^ Company, and by the Governours And Captaine of Kings Castles Tennants, uppon the perill of fforfeiting their land, for their respective neglects and Contempts.

JNO. HAYDON.

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[1] *Sida carpinifolia*, still a great pest. What lilies are intended, unless it be the Bermudian Iris, *Sisyrinchium Bermudiensis*, the Editor does not know.

12. A Proclamation in answer to the Negroes petition tending to liberty & ffreedom, by Sir John Heydon Governor 13 Novem. 1669.

Whereas divers petitions have bin exhibited to mee desireing liberty and ffreedom. The petitioners not well weighing the iust Interests of their respective Owners and Masters to their persons, being purchased by them without condition or limitation. It being likewise soe practised in these American Plantations, and other parts of the world. And they nothing regarding the great benefitt they might be capable of, being admitted into a Christian State, and uppon demonstration of knowledge and ffaith in the holie Scriptures with life and conversation, to Baptisme, and other holie Ordinances of Christ, whereas heathenish Masters, that know not the Scriptures, would keepe them in ignorance and blindnes, enslaveing the soules as well as the bodies. But Christians are under Evangelicall restraints to have a respect to both. Yet some make use of this holie profession as an argument to free themselves from their severall duties, alledgeing, the Gospel allowes noe bondmen, which is a gross mistake, and their Judgments may be rectified in rightlie perusing the 6th Chap^{r} to the Ephesians, where it is thus written.

Servants bee obedient unto them that are your Masters in the flesh, with feare and trembling, in singlenes of heart as unto Christ, not with eye service as men pleasers, but as the servants of Christ, doeing the will of God from the heart, with good will doing service as to the Lord, and not to men, knowing that whatsoever good thing any man doth, the same shall hee receive of the Lord, whether hee bee bond or ffree. Also the 1st Coriñs Chap^{r} 7th verse 20. 21. 22nd. Peter the 1st, Chap^{r} 2nd. v. 17. 18th. Likewise that Masters may beare a recipricall tendernes and care to their faithfull servants, in the same Chapt^{r} it is written to them thus. And ye Masters doe the same thinge unto them, forbearing threatnings, knowing that your Master also is in Heaven, neither is there respect of persons with him.

Now in consideration of what hath bin said, Masters and Servants are hereby advised, and in the kings name required to live in peace, mutuall love and respect to each other, Servants submitting to the condition wherein God hath placed them. And such Negroes as formerlie, or lately have bin baptized by severall Ministers, should not thereby think themselves more free from their Masters and Owners, but rather, by the meanes of their Christian profession, obliged to a more strict bond of fidelity and service. And if all persons professing Christianity

CHAP. XV. 1669–1681. would be careful in the discharge of their duties, living in the feare of God, and in due obedience to his Maiest^{es} Laws, complaints of this nature would be prevented, true religion, and civill conversation would be encouraged, the service of God would be esteemed the greatest freedome. Unitie, loyaltie, iustice, diligence and temperance the truest meanes to promote the happiness of private families, and what concerns us all, the publique peace, tranquilitie and welfare of these Islands. Given under my hand at S^{t}. Georges, together with the publique Seale of the Hono^{ble} Company, the 13th day of November, in the 21st yeare of the reigne of our Soveraigne Lord Charles the 2nd, by the grace of God of England &^{c} Kinge. An^{o}: Dom: 1669.

God save the Kinge.

J^{o}. Heydon.

13. (1) The imprisonment of the Rev. Samuel Smith by Captain Whalley (*ante*, p. 268), and the Company's recommendation to him to seek a remedy at law, led to much litigation at the assizes of December 1669. The sheriff, Richard Stafford, one of the parties implicated, protested against the Company's decision, and desired that the following opinion should be recorded. But the plaintiff insisted, and brought nine actions of false imprisonment, on several of which he obtained damages.

The cause was a famous one, and involving several curious questions of law and usage, will be given at some length.

(2) The opinion of Mr. Richard Stafford sheriffe presented to the court under his owne hand writing and by him desired to be recorded verbatim, as followeth.

It is my opinion that the Governor and councill ought not to be Sued here in this Court for anything done in the execution of their Offices, my reasons follow.

1st Because it is a rule in Government. That everie cause ought to be tried in its proper Court to which it belongs. Cooke the 4 p^{t} of his Institutes, Chap^{r} 5th Page 60th.

2^{ly} All proceedings ought to be according to Law, and Custome. Cooke 4th p^{t} of his Institutes Chap^{r} 1 page 40th. But there is no Law, Custom, or President for Governour and Councell to be sued in Bermuda for what they have done as a

Court of Judicature and Record. Sh̄ep I P, page 232. Dalton page 417th. Title, Advice to Justices Chap 120th.

3ly That noe great Officer or Councellor of the Sum̄er Islands, that shall merrit to be called in question, shall be Censured by the Companie (which is a higher Court then this) till he be first Convented and examined by the principall Assistants. Book of Order Article 49th, and Article 179th. And the presidents of these Islands doe show, that the Governour and Councell, and all other Officers here, ought to be tried by Com̄issioners ordered by the Companie uncontrouled. And this hath bin the way of proceedings against Governour and Councell in these Islands, and noe other.

(3) Voted in Court concerning the Action of Mr Samuell Smith Plaintife, against Mr John Wainwrighte Senr Defendant, in an action of the case for false imprisonment. Damage 50ls sterl. And uppon Notes put into the Court by Mr Samuell Smith and Mr Richard Stafford Sheriffe, to be considered of, which of them should be first entertained. And the pr.mises put to the vote by the Governor.

It was desired by Mr Henrie Durham, that the Sheriffes Note should be first entertained in Court because of the Lawes of the Governour and the Companie, Capt Christopher Burroes, and Capt Godheard Aser being of the same Judgment with Mr Durham.

Upon the action aforesaid called in Court. Judged by Mr Richard Norwood, Mr Thomas Wells, Mr Henry Moore, Capt ffrancis Tucker, Capt John Darrell, the Secretarie, and the Governour. That Mr Samuell Smiths note should be first entertained, which was accordinglie done.

Uppon the second proposall exhibited in Court by Mr Samuell Smith, (videlzt) whether Capt William Sayle, Capt Samuell Whalley and Mr Richard Stafford Sheriffe should set uppon the Bench as Judges dureing the pleading the Action aforesaid.

Judged by Mr Durham. That the Gentlemen aforesaid may sitt uppon the Bench during the Troyall of the Action betwixt Mr Samuell Smith, and Mr John Wainwright aforesaid.

Mr Thomas Wells, that they may sit, but not as Judges in their owne Causes.

Mr Norwood, That they may sitt, but not as Judges, because the Action of Mr Wainwright aforesaid concerns themselves.

Capt Aser that they may sitt untill their owne actions be called.

Capt Burroes that they may sitt, but not in their own particular causes.

Mr Moore that they may sitt, but not as Judges in this cause.

Capt Darrell, that they may not sitt, nor vote, because the Plaintife hath Actions against them now depending of the same nature with Mr Wainwright aforesaid.

Capt ffrancis Tucker, that they may sitt as Judges, and have free vote, soe that it bee not particularlie in their owne case.

The Secretarie that they sitt but not vote during the Troyal betwixt Mr Smith, and such as hee hath causes for false imprisonment against.

The Governour, that the aforesaid Gentlemen concerned in the Action aforesaid (because parties) are not by him thought fitt to sitt or iudge in Court.

(4) Forasmuch as nine Actions have bin entered in the Secretaries Office by Mr Samuell Smith Plaintife, with nine Declarations suitable to the said Actions, for false imprisonment against nine Gentlemen (now or late of the Councell). The question proposed whether the sayd Mr Samuel Smith plaintife may have liberty to proceede to a Troyall uppon the Actions aforesaid according to the said plaintiffs desire in Court, or not. The Gentlemen's Names under written, are in the Negative yte. That the plaintife shall not proceede as aforesaid (videlzt) Capt William Sayle, Capt Samuell Whalley, Mr Richard Stafford Sheriffe, and Mr Henry Durham. And the Gentlem on the Affirmative yte that the plaintife shall proceede, are as followeth. Henry Tucker Secretie, Mr Henry Moore, Capt John Darrell, Capt ffrancis Tucker, Mr Thomas Wells, Mr Richard Norwood & Sir John Heydon Governour.

(5) Uppon a further Motion whether the Action depending betwixt Mr Samuell Smith Pl., and Mr John Wainwrighte Sen Defendt shall be proceeded uppon, or not.

The Secretarie Mr Wells, Mr Moore, Capt Darrell & Capt Tucker judge, That in regard the Defendt hath joyned Issue, the Action shall proceed.

Mr Durham and Mr Norwood are of the judgment, that this proceeding of, or about Mr Smith, is not according to Law, or to the Companies Order. Capt Burroes judgeth that the Action ought to be spread before the Companie.

Capt Aser judgeth that a Select Jurie ought to proceede uppon this Action, & not otherwise.

Capt Sayle Judgeth. That the printed Orders of the Companie ought to be observed. And that noe Geñall Letter from the Companie doe overtopp them.

The Sheriffe judgeth, That the Companies last Generall Lettr concerning Mr Samuell Smith, doth not allow him a Triall here by a Jurie before the Defendt hath bin examined by the Companie. And proceeded against according to the booke of Orders.

The Governour Judgeth, that in regard much tyme hath bin alredie spent in pleading in the Court by and betweene Mr Samuell Smith Plaint, and Mr John Wainwrighte Senr Defent and the Defendt hath joyned Issue. Therefore the Action ought to proceede this present Assizes.

(6) Mr Samuell Smith haveing, before the com̄encing of this present Assizes, entered Actions for false imprisonment, to be tried, thereat, against severall Gentlemen, now or late of the Councell. And his Action first entered against Mr John Wainwrighte Senr, haveing bin formallie called, and the Declaration thereunto relating publicklie read, with the Geñall Issue, pleaded by the Defendant, and thereuppon Three hours tyme in pleading to the said Action haveing bin spent over night; Notwithstanding which aforesaid proceedings an Abatement to the Plaintifs Action hath bin this morning pleaded by the Defendant aforesaid. Whereuppon the premises hath bin by the Court put to the vote, and hath bin voted as followeth, (videlzt).

By Mr Durham, That the said Action shall not proceede unless the action be mended.

By Capt Burroes, That the said Action shall be spread before the Honoble Companie.

By Capt Aser, That the whole proceedings be referred to the Honoble Companie.

B. Mr Wells, That proceedings may take place according to Law.

By Mr Norwood, Capt William Sayle, Capt Samuell Whalley & Mr Richard Stafford Sheriffe. That the whole matter be referred to the Honoble Companie.

By Capt John Darrell, Mr Henry Moore, Capt Francis Tucker, Mr Hen: Tucker Secretarie, & Sir John Heydon Governour. That in regard pleadings have bin carried on in Court by both parties. And the Question of Abateing hath not bin started by the Defendant before he Joyned Issue, and pleaded the Geñall Issue. That the Defendant shall proceede on in his defence. And answer the Action depending as aforesaid.

(7) By the Action of 100ls Sterl, depending betweene Mr Samuell Smith Ministr, Plaintife, and Capt Samuell Whalley Defendt. The said Deft pleading a Geñrall Issue, and withall Challenging the privileges mentioned by the Lord Cooke, in his book of Institutes, Page 303. (videlzt)

The Jurisdiction of the Court. The person of the plaintife. The writt. And the Action. The sayd privileges were, by Vote, allowed unto the sayd Defendant, by Mr Henrie Durham, Capt Christõer Burrowes. Capt Godheard Aser. Capt William Sayle and Mr Richard Stafford Sheriffe. By the Vote of Sir John Heydon Governour, Capt ffrancis Tucker, Capt John Darrell, M^{r} Henry Moore, and Henry Tucker Secretarie, Determined. That the Defendant plead to the matter of fact. And that other circumstances in Law may not be insisted uppon, To the delay of Justice or detayning the Countrie, to their great charge and trouble.

14. A Proclamation by Sir John Heydon Governo^{r} 4 Feb. 166$\frac{9}{0}$.

(1) Whereas Sir John Youmans Barron^{t} in his Voyage for Port Royall [S. Carolina] In behalfe of the Right Hon^{ble} proprietors resident in England, for his Setling of a Colonie there, By vertue of Letters Patents Graunted by his Sacred Maiestie of Great Britaine, hath bin put off the aforesaid Coast by violent weather in the Shipp Carolina now at Anchor in the Towne Harbor (Capt Henry Brayne Com̄and^{r} thereof.) And since his arrivall, Servants, and others engaged in the aforesaid Hono^{ble} Expedition, have bin dispersed abroad in these Islands, and by the Inhabitants entertained. The sayd Shipp being in a rediness to entertaine the aforesaid persons, in pursuance of the said Hono^{ble} Expedition (soe soone as the aforesaid Com̄and^{r} shall think fitt to depart, and winde and wether shall permitt). These are in his Maiesties Name to Charge & Com̄and all house-keepers And others as have entertained any of the aforesaid persons, to dismiss the same, soe that they may repayre aboard the said Shipp uppon Mundaie the 14th day of this Instant. And because all persons concerned as aforesaid, may be left without excuse, These are to give notice, That if any as aforesaid shall withdraw themselves at the departure of the said shipp, their persons shall be arrested, And shall become Servants to this Colonie, untill there shall be an opportunitie of transporting them to Port Royall aforesaid, And after their arrivall there, shall be lyable to serve the proprietors, on their Respective Masters One Compleat yeare (or longer as they shall think fitt) more then what they are to serve according to Contracts & Engagements formerlie made betweene them And the proprietors or their Agents, And Masters as aforesaid.

And as for such house-keepers and others, of whatsoever degree or qualitie, as shall presume to assist, and Countenance any as aforesaid in their Consealing themselves untill the sayd shipp is departed; They are hereby required to take notice That they shall assuredlie undergoe such condigne punishment as myself and Councell shall hereafter think fitt to inflict uppon them as persons being refractorie to this Government hat C

(2) These are likewise to give notice t apt William

Sayle is to goe Com̄andr in Cheefe for the carrying on of the aforesaid Expedition. As likewise that if any two or ffoure capable persons shall bee pleased to goe with him, And take a view of the place aforesaid, And the accom̄odations thereunto belonging in order to the incourageing Inhabitants with us for their transplanting themselves and ffamilies according to the Report of the said two or ffoure persons: the said persons will be allowed their Transportation ffree, with Accom̄odation of the shipp thither, And are to be sent back againe by a vessell which is to be sent back to these Islands with what convenient speed maybe. If likewise any shall think fitt to goe at the present, with a resolution to Settle with others alredie engaged, They are to be allowed their Transportacon ffree, And Accom̄odation in the shipp aforesaid, As likewise all privilidges & Advantages as have bin Graunted to the first Settlers of the place aforesaid. Given under my hand at St Georges the 4th of ffebrie Ano Dom: 1669.

Signed (J Heydon)

15. At a Generall Quarter Court 9 Feb 166$\frac{9}{0}$.

A letter to the Honble Company from Capt Sam. Whalley dated Somer Islands 30 Nov. 1669 conteigning in it severall expressions which gaue much Offence to the Court was read, and it was thereupon Ordered that no particular answer be returned thereto but by postcript to the Generall Letter these words be added.

We haue receiued a vayne Letter from Capt Samuell Whalley late Deputy Gouernor in the Islands, who hath a better opinion of his Gouernmt at that tyme than the Company hath Wee do thinke fit and order that he be discharged from setting in the councell for the future the Company being unwilling that he should serve them (as he sayth he doth) to his owne cost.

16. By Sir John Heydon Knight & Governor 19 Febr. 166$\frac{9}{0}$.

Whereas I have allredie by Publication, Charged and required all and all manner of persons concerned in the Expedition for Port Royall, to repayre aboard the shipp Carolina upon Mundaie last past, and divers persons concerned as aforesaid, have fayled of presenting themselves accordinglie, And the sayd Shipp (By the order of Capt William Sayle Com̄ander in Cheefe, And the Comandr of the aforesaid Shipp) being appointed to saile from these Islands uppon Mundaie next. These are therefore to Will and Require, And in his Maiesties

Name to Charge and Com̄and all persons concerned as aforesaid, to repayre aboard the aforesaid shipp upon Mundaie next ensueing the Date hereof, in the forenoone by eyght of the clock at the farthest. And if any shall dare to absent themselves (Contrary to the Expectations of the aforesaid Com̄and^{r}, and their Assistants in the aforesaid Expedition). I doe hereby declare, in behalfe of the Right Hono^{ble} Proprietors, And the Comand^{r} aforesaid, That the Transgressors as aforesaid, shall be proceeded against as contemnors of them, and this Goverēnt. These are furthermore to require all manner of Officers, both Military and Civill, to be ayding and assisting, in forth convaying such, as have allredie absented themselves, unto myself, or on board the sayd shipp as aforesaid. And such persons as shall be active in bringing and convaying Transgressors aboard, or to myselfe at S^{t} Georges as aforesaid, They shall be satisfyed for their diligence in and about the premises by the Com̄anders aforesaid. Given under my hand at S^{t} Georges the 19th day of ffebruarie An^{o} Dom: 1669.

JOHN HEYDON.

17. The general levy agreed to by Sir John Heydon and Council, November 1, 1670, differs but little from the example given in full for 1660; the four first items are the same; the salary of the mount-keeper and crier is increased to 250 lbs. of tobacco. The expenditure may be classified as follows:—

Pay of the Castle soldiers &^{c} .	2450 lbs of Tob.
Repair of Forts	320
Repair of Prison . . .	480
Work done	1836
Supplies	148
Shingles 1100 for roofing . .	55
Salaries of Ferry man, Mount Keeper and Crier, and Bridge keepers	990
Assizes and sheriff's charges . .	160
Sundry disbursements . . .	1253
The country Dr	7692
Cr by Ship money for Powder, and public Rents	1752
Balance	5940

which is assessed at 16½ lbs per share.

CHAP. XV. 1669–1681.

18. Bisse's 'History of the Quakers' is again our authority for an instance of the frantic violence with which that provoking sect was opposed. Their fearless and often extravagant denunciation of what they disapproved; their attitude of passive resistance; their repudiation of civil obligations and duties and external marks of respect, such as uncovering in court; their singularities of attire and phraseology, aroused evil passions in that rough age which it is difficult now to quite understand.

Anno 1670. Furious and lawless was the Rage of John Bennet, a very wicked Man, who came to the House of Robert Wilkinson, swearing He would kill all the Quakers, and that he would begin with Robert Wilkinson and his Wife in the first Place, and so pursued the said Robert with a drawn Rapier, but was prevented from executing his bloody Design, after that he brake down the Door upon the said Roberts Wife, but she escaping from him, he attempted to burn the House, and seemed so desperately bent on Mischief, that the Constable was obliged to take him into Custody, and conveyed him to the Town, where the Assizes for the Island was then held; But because the said Robert Wilkinson could not swear against him (though several others could have given Evidence upon Oath of the Assault) the said Bennet was released, and the said Robert was fined 50^{s} for refusing to swear, for which Fine he had his Goods taken away to the value of £5. 8. Thus was the wicked Assaulter set at Liberty, and the innocent Person, who had been injured, was punished.

19. At a General Court for the Som̄er's Island Company held at Armourers Hall in Coleman Street London on Monday 21st February 1669.

Ordered, That whatsoever person or persons in the Som̄er Islands, as shall at any time after publication hereof without license from the Governor for the time being or his Lieft^{t}, or some one of the Captains of the Forts there, go with his or their Boat aboard any ship arriving at the Som̄er Islands before the Master of such ship shall have entered his name and Ship in the Secretary's Office, and shall have given good and sufficient Bond by persons inhabiting in the said Islands in the sum or penalty of five hundred pounds at the least, that such ship shall not carry off from the said Islands, any Servants, Debtors, Tobacco, Cedar, or any prohibited Commodity of the growth of the said Islands, Every such person or persons so going aboard without any license shall forfeit his and their Boat to the use of the Company, and further shall for their offence suffer imprisonment at the direction of the Governor and Council for the time being. And if upon examination to be had before the Governor or any one or more of the Council it shall be proved, that any person or persons in the said Islands, shall after publication hereof, with his or their Boat, or otherwise have carried aboard any Ship arriving as aforesaid any of the persons or goods prohibited as aforesaid, every such person or persons so offending, and being thereof convicted, shall for every such offence be committed to prison, there to remain without bail or mainprise until such person or persons shall have made satisfaction to the Company or any other particular persons what damages they shall have respectively sustained by reason of the offences aforesaid. And the Governor and Council are to take care that this Order be publicly proclaimed in the said Islands, to the end all persons concerned may have notice, and conform themselves thereunto accordingly.

Thomas Marten, Secretie: &^{c}.

20. Arrangements in reference to the new speculation of Whale Fishing. February 24 $166\frac{9}{0}$.

S^{r} John Heydon knight and Gouern^{r} Capt^{n} William Sayle Capt John Darrell Capt John Stowe, M^{r} John Wainewright senior, M^{r} Arthur Jones, M^{r} Hugh Wentworth & M^{r} William Peaslie Aduenturers in the whale fishing Design (resident in the Somer Islands) Assembled together at the sessions house the daye & yeare aforesaid Haue vnanimously concluded as followeth

(1) That M^{r} Hugh Wentworth and M^{r} William Peaslie aforesaid be desired to make Prouision in all and all manner of respects for the promoting the whale fishing Designe, in relation to the fitting vpp the whale Boates, repayring the cisterns and all other materialls Soe that the whale fishing at hand may be carried on with all expedition

(2) It is likewise concluded by the gentlemen aforesaid That the wodden cistern set vpp in M^{r} Trotts store house at Dauids Island bee by the said M^{r} Hugh Wentworth and M^{r} William Peaslie (with the assistance of M^{r} Richard Stafford Sherriffe) taken out of the aforesaid store house, whole, or cutt in the middle and carried to the cisterne at Smiths Island and there employed for the aduantage of the whale fishing Aduenturers By or before the 5th of March next ensueing And that they [the said persons] doe weekelie giue an Account of their Disburse-

ments in relation to the p^{r}mises vnto S^{r} John Heydon aforesaid dureing the whole whale fishing season And the rent of Tenn pounds sterling p annum for the vse of the aforesaid storehouse be stopped and discontinued for the future

[Then follows the memorandum of the names of the original adventurers, given vol. i. p. 99.]

(3) The names of the Gentlen that are indebted to the whale fishing in the Somer Islands. And what euery pticular man oweth, with the number of shares they owned of which they had intelligence the last shiping by the ship Marygold, Capt^{n} Samuel Pensax comand^{r}. And the sume of money that was then assessed vpon them to paie, and that now is again demanded of them to paie, their names following

	£	s.	d.
Sir John Heydon Knight for 10 shares . .	20	0	0
Capt^{n} William Saile for 4 . . .	8	0	0
Capt^{n} Sailes grand-children for 4 .	8	0	0
Capt^{n} fflor Seymour 1 . . .	2	0	0
Capt^{n} Rich Jennyns for 4 . . .	8	0	0
Capt^{n} John Stowe 5	10	0	0
Capt^{n} Thos Richards 8 . . .	16	0	0
M^{r} Jo Wainwrighte 9 . . .	18	0	0
M^{r} Will Peaslie 4 .	8	0	0
M^{r} Sam Whitnie 2	4	0	0
M^{r} Henry Moore 2	4	0	0

	£	s.	d.
M^{r} John Darrell 8	16	0	0
M^{r} Thomas Murrell 2 . . .	4	0	0
M^{r} Rob^{t} Dickeson for 2 . . .	4	0	0
M^{r} George Hubberd for 2 . . .	4	0	0
M^{r} Severan Vicars for 2 . . .	4	0	0
M^{r} Arthur Jones for 9 . . .	18	0	0
M^{r} Hugh Wentworth for 4 .	8	0	0
M^{r} Will Wilkinson for 1 . . .	8	5	0
M^{r} John Nicholls for 1 . . .	5	15	0
Shares 84	£178	0	0

21. At a General Court for the Som̃er Islands Company held &^{c} the 22nd February 1669.

Whereas information is given that much Tobacco and Cedar hath of late been shipped out of the Som̃er Islands, and particularly by Bredcake's Ship, to the prejudice of the Company. Upon reading the opinion of the principal Assistants, recommending to the Court that an Order be made for prevention of the like for the future. It is therefore ordered, that what ship soeuer shall henceforth arrive at the Som̃er Islands, the Master of such ship respectively shall upon the arrival of such ship, and before he lade or unlade any Commodity there, give good and sufficient Bond by persons inhabiting in the said Islands in the sum or penalty of five hundred pounds at the least, that such ship shall not carry off from the Islands any Servants, Debtors, Tobacco, Cedar, or any other prohibited Commodity of the growth of the said Islands.[1] Provided that this shall not extend to the Company's Magazine Ships or any other Ship that shall have license and Commission from the Company for so doing. Further Ordered, that the Governor in the Islands be acquainted with what information the Company hath received touching the transporting Tobacco and Cedar in Bredcake's ship as aforesaid, and that he strictly examine what Tobacco and Cedar hath been so transported, and by whom, and send to the Company an Account thereof by the return of their Magazine Ship.

THOMAS MARTEN Secretie &^{c}.

22. Companys Letter to Sir John Heydon. 28 Feb 16$\frac{69}{70}$.

(1) By o^{r} Genrall Letter of the 6th of ffebruarie 166$\frac{7}{8}$, directed to the then Governo^{r} & Councell in the Somer Islands, Wee did order & appoint the shipping aboard of Capt Morlie a quantitie of whale Oyle not exceeding 20 Tonns, not directing of the Oyle of the yeare 1667 or any other yeare. And in answer thereunto the then Governor & Councell in their Genrall Lr̄e to us dated 15th Julie 1668 did give accompt, That the husbands of the Whale fishing having declared, That there were not above 13 or 14 Tons (as they conceived) besides the sittings, They the said Governor & Councell had then ordered, That what Oyle of the said yeares 1667 takeing, did remayne should be sent home. Whereupon by our last Genrall Letter of the 4th March, Wee did blame the said Governor & Councell for such their proceedings in mistaking our Comands, contrary to the express words of o^{r} said first Lr̄e, and shewing the evill consequence thereof, and the loss susteyned by sending home the dreggs of the oyle. Now you and the Councell by your last Genrall Letter of the 22nd June 1669, do not only shift the fault from your selves, but lay it on us, saying, if the Masters com̄ands be so uncertayne, how shall the servant render due obedience. Wherefore Wee must tell you, that that expression of yours is verie unhandsome, and iustly deserving our reproofe. And wee do hereby require you to review that o^{r} former Lr̄e of the 6th ffeb: 1667 and discerne w^{t} iust cause was given us to write as wee had done 4th March 1668.

(2) By your last Genrall Ltre you intimate unto us, that there hath bin sent from the Somer Islands to the Port of

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[1] This was doubtless the origin of the laws relating to 'Plantation Bonds,' which were so much complained of, but only repealed in 1844 and 1847 (J. H. D.)

London according to an Accompt thereof, by you drawn up, and in the said Lr̃e specified, 131 Tons of Whale oyle, withall suggesting that this you had done to the end wee may know whether that Accompt agreeth with what Wee have already received. Wee therefore having examined all the Bills of lading and the Treasurers accompts touching the same, Wee let you know that Wee do finde as followeth.

What oyle sent from the Islands.		What oyle received by Company.
By Elias Homes of oyle & blubber 1664, 44 hhds conteyning . .	11 Tons.	9 Tons
By Thomas Leech of oyle 1666, 117 hhds conteyning . . .	29 Tons.	nil[1]
By Jº ffalkner of oyle 1667, 12 ledgers, 22 Butts, 27 punshions, 68 hhds and the caske according to tunnage Cont:	41½ Tons	29 Tons
By Thomas Morlie of oyle 1668, 10 ledgers, 15 punshions, 1 hhd and the caske according to Tunage conteyning	13½	11 Tons 9 galls

So that the totall of all sent from the Islands according to your owne accompt 95 Tons, And all received by the Company 49 Tons 9 Gallons.

(3) Whereas by our last Genrall Letters, Wee required you to send home by Capt Jenkins what Whale oyle remained behind and unsent by Morlie the yeare before, for that the Com^rs in the whale fishing, in their Letter to the Companie Anº 1668 do confess that they could not send any more oyle by Morley then they had then sent, for want of caske, and that our Comand signified unto you, hath not bin observed or any Accompt of the said oyle, as was required, by you given or returned.

Wee cannot but take it ill that the oyle remayning as aforesaid was not sent home by the last ship, nor so much as an Accompt thereof, or any intimation in your last Generall Letter to us in answer to what wee had written touching the same, And therefore wee do now again require you to send home the remayning oyle, and returne it unto us by the ship Diamond, Joseph Laurence Master, sent by the Grantees for carrying on the Whale fishing at the Somer Islands.

(4) Wee having received from you an Accompt of the Negroes brought from Tortola into the Som̄er Islands by Capt Jo: Wentworth and upon examination finding the same to be imperfect, and by your last Generall Letter to us, you having

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[1] The ship was captured by the Dutch. See Company's letter of 13 Dec. 1666.

promised to send the same more compleat, Wee do now think fitt & Order, That our former Order of the 16th ffebr̄ie 1668 be reinforced, and that you the Governor & Councell do dispose of all the Negroes mentioned in the said Accompt being 23 Negroes and an infant into the hands of the public Officers that are destitute of servants, p·portionably, there to be & remayne untill further order from us. And that you do transmit unto us by the next returne of our Magazeene Ship a compleat & perfect Accompt of all the 70 Negroes as hath bin formerly required by us, and yet remaines on your part to be performed.

(5) Wee having received information of the great wast of Tymber in the Islands, and that unless some speedy course be taken for prevention, the whole Islands in a short time will become destitute thereof. Wee do order that you the Governor & Councell do take care, that the former Lawes & Orders of the Company made against destroying of Tymber be strictlie observed and executed, as also the Com̄ands of the Company thereabouts conteyned in their Generall Letter of the 10th October 1662, to which wee referr you for further direction.

(6) And touching the complaynt, That many poore people keep Negroes who are not able to keep themselves, Wee do order you to take care that the late Law touching putting out poore Children to Servants & Apprentices dated 13 ffeb: 1668 be duly executed which Wee hope may be a meanes to remoove the cause of the said complaint.

(7) Also touching the Complaint, That the Church Yards in the Islands are claymed by some purchasers therein, Wee do think fitt, that 2 former Acts of this Court (herewith sent you) together with the Com̄ands of the Company in their Generall Letter of the 10th October 1662 touching the premises, be reinforced, and wee do require you the Governor & Councell to take care that the same be observed accordinglie.

(8) Your Generall Letter Wee find to be signed by some of the Councellors with exceptions to certain Clauses in it, and wee must tell you, That the like hath not bin done formerlie, and that the same is not well taken by the Companie.

(9) Wee returne unto you (Sr John Heydon) our thanks for your 9 particulars of observation or Remarks presented for our Consideration. And wee do desire you to make practicable the things therein mentioned to be proiected, especiallie the improvement of the growth of English wheat in the Islands.

(10) The request of the Islanders almost yearlie repeated and presented unto us touching the sending them shipps in due season for the carrying off the crops of Tobacco. Wee have fullie & (wee hope) satisfactorily answered them by the enclosed

order of the 24th November 1669 herewith sent, you may perceive.

(11) The Orders mentioned as followeth, some of them being of publick, others of private concernment. Wee require you the Governor & Councell that they be published, and observed accordinglie.

1. ffor raysing ½ quarter peeces of Coynes comonlie called peeces of eight.

2. The order for Councellors to have the power of Justices of the peace.

3. ffor ministers Widowes to continue on the Gleabs till further Order.

4. ffor the Governor & Councell to send home to the Company by this ship such Rents & arreares as they have received of Thomas Brereton, the Companies Tenant. And that Brereton send home his Rent yearly by the Magazeene ship, under penaltie of the forfeiture of his Lease. Orders touching one Robert Landy in pursuance of a Reference from the Kings most excellent Maiestie.

(12) The ministers wee now send you are Mr William Edwards Mr of Arts at the University of Oxon, And Mr Charles Hotham Mr of Arts of the University of Cambridge, the former Wee have designed to preach to Smiths and Hamiltons Tribes, And the latter to Warwick & Pagets Tribes in the Islands, And according to their mutuall requests, Wee have granted that they be not compelled to preach out of the Tribes to which they are respectively designed without or against their owne consents. And Wee pray you to receive them with all corteous entertaynment, and to afford them that countenance & encouragement which their offices & Callings may deservedlie require. And wee hope that this designment will not be altogether fruitless of happy Success to the people of the Somer Islands.

(13) The Shipp Wee now send unto you is the Marigold of London 240 Tons, 14 Guns, 28 Seamen, whereof is Comander Capt Samuel Pensax, whose time to unlade & relade at the Islands Wee have appointed to be ffortie daies & no longer. And to transport all the Crop of Tobacco of the growth of the yeare 1669. And wee do strictly require you the Governor & Councell that you cause (as much as in you lyes) all the Tobacco of that yeare to be laden upon the said ship, and that the same be not shipped upon, or reserved for any other ship, except such Tobacco as the Comander of the said Ship cannot lade upon her. And that you do not permit upon any pretence whatsoever, any ship to take in any Tobacco wtsoever at the Somer Islands till the said ship Marigold shall be first laden and under sayle, and

upon the road to the Port of London. And that you take care that the said ship be not retarded at the Islands beyond the set time for her stay there. Which being some of the Articles entered into by us upon entertaynment of the said ship, do think good to give you this notice thereof. And further that the Termes Wee have agreed for freight are, all Tobaccoes transported at three farthings per lb., and all Tobacco in Chest & Caske at 1^d per lb. with allowance of weight of Chest, accordinglie Wee have caused the Bills of lading to be printed A copie whereof Wee have sent you herewith.

(14) According to your request for necessary supplyes of Armes and am̄unition for the use of the Island, wee sent you by this ship, videlzt.

40 Musquetts, Matchlocks, bastard bore, and all of them of the same bore.

3 barrells of bullets suitable. ½ barrell of pistol bullets. 4° Swords. 4° bolts. 3 cwt weight of Match. 6 barrells of Gunpowder. 8 barrells of barr shott, 3 barrells of Tarr. ½ Ton of yron, p^t flatt, p^t square. 4 great shott, betweene Minion & Saker. 2° demy Culverin shott, 50 chayne shott.

And in pursuance of Sir John Heydons letter representing the need of weights & measures for standard in the Islands, the want of which are an occasion of great abuse to the people, Wee have also sent by this shipp, A Bushell, an halfe Bushell & Peck, 1 sealed yard, 1 sealed quart pot, 1 beame & scales & sealed weights.

And forasmuch as it is the desire of you the Governor that a fflag, may be sent over for the use of the Forts, Wee do not think fit that any such be now sent in regard the Company had lately (videlzt) An° 1667, sent over Two fflags, one for the Kings Castle, the other for Southampton ffort.

(15) Wee require you the Governor & Councell to take care That all unserviceable shot for ordnance formerly sent to the Islands, and there lying useless, and all such small Armes as are found & reported to be unserviceable (as appears by the $Governo^{rs}$ Letter) be returned back and sent home by this ship.

(16) ffurther Wee require the Sheriff of the Somer Islands to send unto us by the next ship an Accompt what number of shott is wanting and to what Gun, to the end the same may be supplyed. Wee having formerly received the diameter of each Gun, and without such Accompt Wee cannot suitably supply the want.

(17) Wee have chosen & appointed Officers for the Som̄er Islands as followeth.

Secretary, Wee have continued M^r Henry Tucker.

Sheriff, Wee have also continued Mr Richard Stafford.

Wee have chosen Councellors for

Hamilton Tribe Capt Goddard Aser.
Deven : Tribe Mr Jonathan Turner.
Smiths Tribe Mr Thomas Wells.
Pagets Tribe Mr Henry Moore.
War : Tribe Capt John Darrell.
Southōn Tribe Mr He : Durham.
Sandis Tribe Mr Tho : Leacraft.
Pem : Tribe Mr Rich Norwood.

Captaines of the Trayned Bands for

Sandys Tribe Capt Christopher Burrowes.
Southampton Tribe Capt Robert Dickeson.
Devenshire & Pembrooke Tribes Capt George Hubbard.
Warwick Tribe Capt John Darrell.
Smiths & Hamilton Tribes Capt John Hubbard
Provost Marshall John Bristowe Senr

(18) ffor the better & more regular proceedings in the Courts of the Som̄er Islands, and the right stating of cases in matters of Appeales Wee do advise you that all persons be encouraged to have their pleadings by Declaration, and answer in writing. And wee do intimate unto you, that it is under consideration by us to make a Law in that behalf.

(19) Whereas at this juncture of tyme more then ordinary care should have bin by you had for the preserving the Tobaccoes for the ship wee now send unto you, which (according to private informations & letters sent from the Islands) seemes to be entertayned at great uncertainty, and if those informations prove true, the same be to the great detriment of the Owners, by reason of the late Hurricane that hath happened among you. Notwithstanding which, and the many orders by us heretofore made & transmitted unto you from tyme to tyme, Wee have received information, that a considerable quantitie of Tobacco & Cedar hath bin transported out of the Islands in Bredcakes ship & by whome. Wee do therefore require you the Governor & Councell strictly to returne to us an accompt thereof by this ship.

(20) And whereas this information, and to prevent the like for the future, hath given us occasion to make two severall Orders, One that masters of ships ariving with you, do give Bond not to export Servants, Debtors, Tobacco, Cedar, or any other prohibited Com̄odity of the growth of the Islands, the

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other Order against persons without Lycence going aboard Shipps arriving with you, and also carrying aboard such shipps any the persons or goods prohibited as aforesaid. Wee require your strict observance of the contents thereof, and for that end that you cause them to be publickly proclaymed in the Islands. And thus comiting you to the protection of the Almighty Wee rest

Your very loving friends

E. Manchester Governour

Gilb: Gerard Dep:	Will Webb.
Richard Chandler.	Lor: Wilkes.
Samuell Smith	John Chandler.
Robert Steevens.	Hugh Noden.

Humph: Meverill.

London ffebruary 28th 1669.

Then follows the Postscript relating to Captain Whalley, *ante*, p. 299. For the Orders see pp. 301–3.

To our very loving friends Sir John Heydon Knight, Deputy Governor, And the Councell of the Somer Islands these dd.

23. A Proclamation by Sir John Heydon Kt Governor. 28 April 1670.

Whereas the Inhabitants of St Georges, and the adiacent Neighbr have bin formerly, and at present are, extremely annoyed by the Carcases of Whales, turned adrift after they have bin used for peoples most advantage, in relation to the Gleanings thereunto belonging, ffor prevention of which mischiefe, according to the Kings Maties Lawes provided against coman Nuisances, annoyances & helth-impayring Stenches, and according to the dutie of my place, I have thought fitt by this my publication to prohibitt the great & intollerable abuse aforesaid. And hereby strictly to charge and require all and all maner of persons to forbeare to meddle with the said Carcases, untill they have first hadd the approbation and leave of James Briggs for their takeing, cutting or toeing away the same to Bilding Baie, And noe where else. If therefore any shall presume to act contrary to this my Order, they shall, not onely loose and forfeit the Oyle they shall take or make out of the Carcases aforesaid, but shall likewise, undergoe Three daies Imprisonmt, without Baile or Mainprize. Given under my hand at St Georges the 28th day of Aprill Ano Domo: 1670

Jo Heydon.

24. A Proclamation by Sir John Heydon Kt Governour. 17 May 1670.

(1) Whereas by the Order of the Hono^{ble} Companie, the Magazeene Shipp Marigold, (Capt Samuell Pensax Com̄ander thereof) is not to staie above ffortie daies. These are to require all manner of Inhabitants to be active accordinglie, in Shipping aboard the said Ship what Tobaccoes they have of the last yeares growth for England, that the said Ship may not be retarded or hindered in complying with the tyme prefixed as aforesaid for the departure of the said Shipp from these Islands.

(2) And whereas before the last Assizes all plaintiffs were required to bring in their Declarāions to the Secretaries Office ffifteene daies before the com̄encing thereof untill further order. These are, according to the Determination of myselfe and Councell, to give notice to all whome it may concerne. That Actions exceeding ffive pounds are to be entered, and Declāraions to be given in by, or before the 27th of this instant Maie, being Tenn daies before the Assizes; and Defendants to give in their Answers in writing uppon the Thursdaie (or sooner) next before the Assizes. As likewise that the Witnesses be warned to give in Evidence accordinglie, or before the sitting of the Court. And such persons as had not their Actions tried at the last Assizes, are hereby to take notice, that they may enter their Actions againe, and prosecute the same (if they please) according to the Orders above written.

(3) ffurthermore, such as are Adventurers in the Whale fishing Designe, as likwise the Husbands thereunto belonging, are hereby required to make their appearance before mee & my Councell at S^t Georges uppon Thursdaie the 26th of this instant moneth, by or before 9 of the clock in the morning, then & there to view, and hear the Accompts sent over by the Whale fishing Adventur^s in England. And such as have bin Com̄ission^{rs} for the s^d Advent^{rs} are hereby required to make their appearance as aforesaid, And bring in the Com̄ission they have for̄erly acted by. And whatsoever Accompts & scripts they have in their hands thereunto relating.

Given under my hand at S^t Georges the 17th daie of Maie 1670.

Signed

J^o Heydon.

25. At the Assizes 6th June 1670.

(1) The Jurie for our Soveraigne Lord the Kinge, doe present William Righton Sen^r of Hamilton Tribe, Gentln, for that hee

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the said William Righton Sen^r at a Councell Table Meeting some tyme before an Assizes held in these Islands in December last past 1669, In the Governours Hall, and in the presence & audience of Sir John Heydon Kt & Governo^r, and severall of the Councellors of the Islands, Did then and there take uppon him to plead for, uphold & vindicate some persons of these Islands, com̄onlie called Quakers, in their evill practices, in opposition to one of his Ma^ties Ministers of Justice (videlzt) Capt John Darrell, Councellor of Warwick Tribe, in the execution of his place: And did then & there seditiously, maliciously & traiterouslie averr, declare and maintain. That his Sacred Maiestie o^r Soveraigne Lord the Kinge, himselfe, did and doth Connive at Quakers.[1] All which is contrary to the peace of o^r Soveraigne Lord the Kinge his Crowne & Dignitie. And contrairie to his said Maiesties Statute Law of the 13^th yeare of his said Maiesties Reigne, in that case made & provided. Which aforesaid Words & practices hath bin by him the said Reighton confessed in Court at this present Assizes.

To which Indictment he pleaded not Guiltie, And for his further Tryall he put himselfe uppon God & the Countrie, which being a Jurie of 12 sworne men, found him Not Guiltie, Though Guiltie of the words soe delivered, by word of mouth, in Court by the Jurie aforesaid.

(2) After the sitting of the Court, And the fforeman of the Grand Inquest called, Capt John Stowe being likewise called to serve uppon the said Inquest, The Governour Sir John Heydon Knight, did think fitt to except against the said Stowe, openly Declaring him to be an unfitt person to serve as aforesaid, for these underwritten reasons. (videlzt) for that the said Capt Stowe did take uppon him at the last Assizes (contrairie to any president in these Islands knowne or Recorded) to present the aforesaid Sir John Heydon Governour for a pretended offence or offences as cannot be made good, as the Gover^r did at that, as likewise this present Session hath, alleaged.

Secondlie, ffor that the said Stowe is apt to be inflamed with Drinke, being frequently subiect to speake pationatlie. And to sweare in his the said Governours observation, and to his knowledge. Lastlie, ffor that his Hono^r had received intimation by writing, That the said Capt Stowe had at this last chooseing of Jurie men in Pembrooke Tribe (whereof M^r Norwood is Councellor & Capt Stowe is an Inhabitant) made waie among the said Tribes Inhabitants, to be chosen there, to serve at this present Assizes, as it appeareth by the Originall Lett^{r} of M^{r} Richard Norwood herewith sent unto the Hono^{ble} Company.

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[1] The pledge of Charles II. to Richard Hubberthorn that the Quakers should not be molested for their opinions, followed by the release of George Fox from Scarborough Castle (Sept. 1, 1666), was probably known to Righton.

(3) Letter of R. Norwood 6 June 1670.

Hono^{ble} Governour, being ill at present I durst not adventure to the Towne least I should become much worse. Its like your Hono^{r} will think it fitt to choose another to be of the Councell in my room, which I am very willing you should doe, sickness and infirmities encreaseing dailie. I did formerlie nominate one, with submission to the Hono^{ble} Company and your Hono^{r}, to allow or disallow: Now I shall nominate none, but referr it wholy to your wisedom. I did not intend that M^{r} Stowe should have bin a Jurie-man at this time, remembring some former passages, not unknowne to your Hono^{r}. But he had spoken to many, and had so manie to give their votes for him, that I could not avoyd it. Thus not to be further troublesome to your Hono^{r} at present, I com̄end you with your Hono^{ble} affaires to the blessing of Almighty God, and remain, y^{r} Hon^{es} to be comanded

Richard Norwood.

June 6th 1670.

To o^{r} Hono^{ble} Governo^{r} Sir John Heydon these present.

(4) Captain Stowe protested against the Governor's severity in the following terms; but, so far as appears, without doing himself any good:—

The Complaint of John Stowe Inhabitant in the Somer Islands to the Grand Inquest

Sheweth,

That whereas the said John Stowe was by the unanimous vote of the Inhabitants (by order from Sir John Heydon Governor) chosen as a fitt person to serve the Kinge his Sacred Maiestie, and his Country of the said Sum̄er Islands, and likewise by the worthie Sheriffe impannaled, as a well qualified person to serve his said Maiestie the King, and his welbeloved Countrie as aforesaid in the Grand Inquest. But the abovesaid Governo^{r} was pleased to turne the said John Stowe out of the said Impannelment unconvicted of any misdemeanour either against his Sacred Maiesties, or his ever honor^{d} Countrie, to the great discontent, reproach & preiudice of him and & his; nay, furthermore, as this complainant humbly conceiveth, besides (if not contrarie) to the Law, to wit 33^{d} of Edward the 1st, If a man challenge a Jurie or a Juror for the King, hee shall show a Cause certaine of his Challenge forthwith, which cause shall forthwith im̃ediatelie be tried by the Justices discretion, whether it be true or not, which was not im̃ediately done, though in open Court most humblie and earnestlie craved of his Hono^{r} the Governour, to put it to the Bench or whole Court; nay your Complainant hath waited for it these two daies, but nothing is therein done, either for concluding your Complainant an enemy to his above said Maiestie or Countrie, according to the Contents of the abovesaid Law, nor for his vindication, or restoration to his place of publike trust and hono^{r} in the said Grand Inquest, to discharge his dutie of Loyaltie to the Kings Maieste as heretofore, according to his oath of Allegiance. And the said Complain̄t doth humblie beseech the said Hon^{r}ed Grand Inquest to consider of his great grievance in the p^{r}mises, least his Estate, or life, (as he feares) should be upon the like Accompt questioned, if not endangered, his good name of subiection and loyaltie to his said Majestie being dearer to him then either or both his aforesaid Estate or life, being readie on all Com̃ands to lose both, for his Soveraigne Lord the King, according to the good conscience of his said Oath of Allegiance, and after your serious consideration abovesaid, that you would put this Complaint into the Hono^{ble} Court. And your Complainant shall praie &^{c}.

Signed JOHN STOWE.

(5) Uppon the humble Petĩon of Richard Apowen for his being restored to his former priviliges with other honest Inhabitants, and to be cleared off of the Record. Uppon the Consideration of his aforesaid submission, and Seven yeares suffering for the Transgressions for which he was at an Assizes held at S^{t} Georges in December 1662, Recorded. And uppon the Report of M^{r} Jonathan Turner Councellor of Devenshire Tribe, Capt John Darrell, and other considerable persons. That the said Richard Apowen hath demeaned himselfe honestlie & soberlie in Devenshire Tribe, and towards the Gen^{r}all Inhabitants. Ordered, and by the Hon^{r}ed Governōr himselfe declared in Court, That the said Record be withdrawne. And that he the said Richard Apowen be annumerated & reckoned among other Inhabitants Capable of serving his Maiestie, the Hono^{ble} Company, & this Country with other his Neighbours & fellow Inhabitants uppon all Accompts as well Civill as Militarie, whensoever he shall be thereunto Called.

. . . .

(6) Judith Porter of Hamilton Tribe (Servant to M^{r} William Peaslie) presented for that shee hath bin delivered of a Black Childe. Censured by the Vote of the Court to be whipped in Hamilton Tribe Church yarde after the Evening

Sermon, when the Minister shall there preach, according to the discretion of the Councellor of the aforesaid Tribe.

(7) Upon the Grand Inquests presentēnt of persons absenting themselves from Church uppon Sabbath daies. Unanīsly ordered, (M^r Henry Durham onlie dissenting) That the respective Church Wardens doe collect 12^d for each transgressors absence from the parish Church where they reside and, whether man or woman above 16 yeares of age, without sufficient cause shewen for their absence. And Church Wardens defaulting to demand & receive 12^d as aforesaid, are to pay, according to the contents of the Hono^ble Companies late Order: ffortie shillings.

(8) Unanīsly Ordered, uppon the Grand Inquests Motion, that all manner of Measures be tryed by & before the Sheriffe at his Quarter Walks. And that noe Inhabitant presume to buy or sell by any other Measures, for the future, then such as the Sheriffe shall make according to such Standards as have bin latlie sent over by the Hono^ble Companie.

. . . .

(9) Uppon the Grand Inquests Motion, touching the sending awaie Black Dick, according to the Contents of the presentment at the Assizes, held in December, 1669. Ordered by pluralitie of Votes of the Court, that forasmuch as the said Black Dick hath exceeded by outragious Threats & languages by him impiouslie vented since the aforesaid Order concerning him, and Mistr^es Elizabeth Trott. That he, the said Black Dick be shipped aboard such shipp as shall be thought fitt, and sent awaie, not to returne againe, according to the Contents of the first Order. The Governour and Sheriffe dissenting.

(10) Upon the Grand Inquests Request for the prevention of Servants and Children customarelie & frequentlie goeing over, and thereby making paths over mens lands; without leave or Lycence of the Owners thereof, Ordered, that such persons shall paie Tenn pounds of Tobacco to the partie greevet. But if Servants, Molattoes, Indians or Negroes shall be found transgressing as aforesaid, they shall be whipped, unless the respective Masters will give present satisfaction for such Transgressions by them comītted.

(11) The mending the Channell at the fflatts mouth, and of Brackish pond Dock, ffor the accomodation & secureing of Boates, for the future, in their goeing & coming out thereat. Referred to the Councellors of the Tribes, unto the said places belonging, to use their endeavours in repayring the same speedilie, with relation to Capt Robert Dickesons advice tendered in and about the worke aforesaid.

(12) Payment in Tobacco, for Accōmodation of persons at

the Assizes, not haveing given content to some persons at S^t Georges: It is unanimouslie Ordered. That Tobacco in all cases be the payment, and not to be refused for current paȳent, according to such value, or estimate as it shall be pitched uppon at the tyme of Division. And the goodnes thereof to be Judged (if occasion require) by two substantiall men of the Tribe where it is paiable, or at S^t Georges.

(13) Upon the Grand Inquests Motion for the erecting of an house of easement at S^t Georges, for the benefitt of the Geñall Inhabitants, upon the Countries charge: Unanisly Ordered That the Sheriffe doe speedily employ a workman for the erecting thereof in such comodious place, as hee shall think fitting for such a necessarie purpose. As likewise that hee employ Boaz Sharpe for the finishing of the Cisterne, alredie begun, and in parte paid for by the Countrie at the last Geñall Division.

26. (1) The Attestation of Nathaniell Mills taken in Court at an Assizes held at S^t Georges in the Sessions house the 9th daie of June 1670.

Who being Sworne to declare what he knew concerning the Carcase of a whale which was brought upon a Shole near the Governours house, in the Moneth of Aprill last past, to the Annoiance of the Governo^r & Inhabitants, hee affirmeth uppon Oath that M^r James Saile was the occasion of the bringing thereof as aforesaid. And that George Leman Jun^r, John Gilburt, Black Dick & Robert Simon, along with the aforesaid Nathaniell Mills, and M^r James Saile himselfe in the Whale Boate, (whereof M^r Saile was Harpaneere) towed the aforesaid Carcase from the backside of Lieft^t Stokeses Island, up unto the Stile, and there let it goe adrift. And &^c,

The marke of
×
NATHANIELL MILLS.

(2) John Gilbert follows with evidence to the same effect, adding that 'M^r Saile did saie he would give him a Boule of punch for his paines, but he never had any of him.'

(3) Uppon M^r James Sailes Confession and his submission to Sir John Heydon Governo^r before the Councell. The said Hono^ble Governo^r hath bin pleased to pass by his the said M^r James Sailes notorious transgression. And hath consented that the proceedings of the Grand Inquest in & about the pre-

mises, be at an end. Nevertheless ffined in Court by pluralīe of Votes, 10l Sterl for his late breach of the Kings peace in relation to J Briggs, upon his Complt against the said Mr James Saile, not by him denied in Court.

27. At a Council Table June the 28th 1670.

Mr Hotham agreeing to preach first at Port Royall: That daie fortnight Mr Bond at Sum̄ersett: That daie fortnight after, Mr Smith at Port Royall, And that daie fortnight after Mr Edwards at Sum̄ersett, and soe to keepe their Turns in Course till a further supplie be sent from the Company. It being the request of the Honoble Governour, that the abovesaid Ministers should meet at his house to agree how to supplie the wanting Tribes of Port Royall and Sum̄ersett. And they having agreed amongst themselves to supplie the said Tribes aforesaid. Wee the Governor & Councell order the Secretarie to give the Ministers on our behalfs, Thanks for their soe good Agreement, ffor the benefitt of the Two wanting Tribes dureing their Continuance till the Companies further pleasure shall be knowne, or from them a Supplie sent for the aforesaid Tribes.

I being sent by the Governōr & Councell offered the premises to Mr Hotham, Mr Edwards, Mr Bond and Mr Smith, at Mr Smiths house. Mr Hotham, Mr Edwards & Mr Smith did thankfullie complie with the premises, Mr Bond declared that he would not complie with the premises, to preach at either of the vacant Churches, without an Order of Governor & Councell, because he would not distast, or preiudice the Defendants in the Cause with Mr Smith aforesaid.

Henry Tucker Secretie.

28. Extract from a Letter from the Governor and Council to the Company 28 June 1670.

The ffowre ministers being inuited by the Gouernor with the Councell this daie, they being moued to bestow their paines in the vacant churches And that they would agree among themselues which of the Lords daies might be most commodious for them They did complie as to the time and place wherewith the councell being acquainted, the Secretarie was forthwith ordered to giue them thanks, But Mr Sampson Bond did recede from his former agreement refusing to preach *in any parish but his owne* Assigning this for a reason That he would not do it without an absolute *order from the* Gouernor and Councell, further alleageing that he should thereby wrong those gentlemen who had imposed an order on Mr Smith for preaching in vacant Churches.

29. A Proclamation by Sir John Heydon Governor 13 July 1670.

. . . .

(1) Uppon the Grand Inquests presentment of the Quakers and others of the severall Tribes, and at St Georges, for their absenting themselves from Church upon Sabath daies, Ordered, that the respective Church Wardens doe collect Twelve pence for each offenders absence from the Parish Church where they reside & dwell, whether man or woman above Sixteene yeares of age, without sufficient cause shewen to the Church Wardens for the contrarie: And Church Wardens as aforesaid defaulting to demand & receive 12d for each absenter, are to paie, according to the Contents of the Honorable Companies late Order, ffortie shillings.

. . . .

(2) Whereas the Grand Inquest hath presented the unseasonablie walking in the night tyme with lighted leaves, to the endangering of the fireing of houses, Timber, ffences, and Sugar Canes (by Industrious Inhabitants planted.) By which inconvenience some Inhabitants may be utterlie undone, and others greatly preiudiced & disheartened.

It hath bin thereuppon unaniōusly ordered, That such Servants, Youths, Mullattoes, Indians or Negroes as shall by night or daie presume to go with lighted leaves, or sticks of fire, in the highwaies or over mens grounds, shall be subiect to be whipped upon complaint or proofe, according to the discretion of the Councellor of the Tribe where the offence shall be comitted. And such Masters of Servants, Youths, Mollattoes, Indians or Negroes (if they shall presume to uphold or suffer them to act as aforesaid) are to forfeit Twentie Shillings Sterl, to be paid to the Sheriffe, or Councellor of the Tribe for publike uses.

. . . .

(3) Whereas the Honoble Companie hath sent over Sealed Weights and Measures as Standards, for prevention of deceits & Iniuries amongst vs: And the said abuses have bin taken into consideration by the Grand Inquest. The said abuses principallie relateing to the Sheriffs office and care at his Quarter Walks, to suppress. It is expected and Ordered, That all manner of Inhabitts have their Measures tryed by and before the Sheriffe accordinglie. And that none presume to buy or sell by any other Measures for the future, then by such as hee shall marke according to such Standards, as have bin sent over by the Honoble Companie.

(4) Ordered likewise. That all persons goeing over private

pathes, to the damage of Owners & Occupiers of Land, shall paie 10^{lb} of Tobacco to the party agreeved. And Servants, Molattoes, Indians or Negroes transgressing as aforesaid, to be whipped, unless the respective Masters will give present satisfaction for such Transgressions

(5) Whereas Tobacco hath not given Content to some persons at the tyme of Assizes, And noe payment will content them but redie monie. The said Agreevance haveing bin taken into Consideration. It is unanimouslie Ordered. That Tobacco in all cases be the payment, And not to be refused for Current payment according to such value as it shall be picked upon at the time of the Division. And the goodness thereof to be Judged of (if occasion require) by Two substantiall men of the Tribe where it is paiable, or at S^{t} Georges

(6) Lastlie, fforasmuch as the Grand Inquest hath presented the abuse of the sale of Drinke by Retaile, to the increase of Drunkenness, and Disorders in such persons as Retale the same: It is thereuppon unaniōusly ordered. That the Constables of the severall Tribes doe make enquirie of what persons have sold Drinke by Retaile without Lycence, within these six Months. And such as are Licensed, are to take notice, That they doe not take above Eight Shillings per Gallon for Brandie at Retaile within doores, and Seven Shillings per Gallon at Retaile when sent for out of their houses. And likewise not to sell Rum for above 6^{s} within doores, and 5^{s} without, upon the forfeiture of their Recognizance. Given under my hand at S^{t} Georges the 13th Julie 1670.

J^{o} Heydon.

30. A Declaration by John Stowe 4th Julie 1670.

(1) Whereas, I John Stowe did at an Assizes held at St Georges June 1670, offer a paper representing an Agreevance to the then Grand Inquest, wherein Sir John Heydon Knight and Governour was principallie concerned, and Subscribed by mee. Therefore I the said John Stowe doe by these presents declare. That M^{r} Sampson Bond Minister did whollie, onelie, and solely desire and importune mee the said John to subscribe and offer the said paper to the said Grand Inquest, And that the said M^{r} Sampson Bond was the sole author, procurer and contriver (as far as I know) of the said paper, And that not out of anie animositie, ill-will or preiudice to the said Sir John, but meerlie through the said M^{r} Bonds importunity I did subscribe and offer the said paper as aforesaid. And I doe humbly beseech the said S^{r} John to put the most candid interpretation upon my said subscription and offer, passing by any offence that

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might iustly be taken at the same, And to impute & charge all upon the said Mr Bond totallie therein concerned, as far as I know. Given under my hand the daie and yeare first above mentioned.

JOHN STOWE.

Signed & delivered in the presence of

John Darrell Senr, S. Smith,
Henrie Moore, Henry Tucker Secretie.

(2) Upon this submission Sir John Heydon at once restored Stowe to his civil privileges, although the objections to him appear untouched :—

Whereas there hath bin a paper presented against Sir John Heydon Goverr at the Assizes in June 1670, by way of a presentment, and finding Capt John Stowes name therein mentioned, and his hand thereto fixed. And the aforesaid Stowe being Impanneled for a Jurieman to serve on the Grand Inquest the last Assizes in June the 6th 1670. I, Sir John Heydon Governour of the abovesaid Islands did keepe back the said John Stowe from the Service to which hee was chosen, for the abovesaid reason, with severall others. But since the said Assizes being fullie satisfied, That the said Stowe was not the cheefe actor in the contriveing, and makeing of the presentment aforesaid, but drawn to it by the perswation or desire of Mr Sampson Bond Minister, as will appeare by his the said Stowes Acknowledgēnt and Subscription under his hand dated the 4th July 1670, delivered to mee the said Heydon in the presence of Mr Henry Moore, Capt John Darrell, Mr Samuell Smith Minister, and Mr Henry Tucker Secretarie. Therefore know ye, That I Sir John Heydon Governor, doe Esteeme Capt John Stowe, And now doe inable him, on this my Judgment, A person capable to serve the Kinge, Companie and Countrie in any Service for them, that hee may be called to, by the Election of the Inhabitants of Pembrooke Tribe.

Jo HEYDON.

31. At a Councell Table 1st November 1670.

Upon the Governours propounding, upon what daie the Generall daie of Division of Tobacco shall begin, to the consideration of the Councell, As likewise how Tobacco shall be estimated at in order to the satisfying of such persons as are to be paid out of the Generall Levie this present yeare. Unanimouslie then agreed uppon, and Ordered, That upon Mundaie the 14th daie of this instant November, the Generall daie of

Division of Tobacco shall begin. As likewise that all Workmen that have worked for the Generallitie, And others to whome Tobacco is due out of the Generall Levie, That they shall receive Satisfaction for what is accrueing unto them, by Tobacco at Three pence per lb.

32. Letters of acknowledgement for services to the Carolina expedition.

(1) Barbadoes September the 13th 1670.

S^r

The Lords Proprietors of Carolina hath Co̅manded mee to convey the inclosed Lett^r to you, of which opytunitie I am joyfull that I amongst the rest may p^{r}sent you my thanks for your kindness shewed to the people of that Designe. I beseech you S^r to continue your generous temper still. And as you did assist them before they went to Cayawah (Savanah?) soe please to continue it now they are there setled, which will not onlie claime an acknowledgement from the Proprietors and all noble soules, but pticularlie from

Your most humble servant

THO: COLLETON.

To the Hono^{ble} S^r John Heydon, Governo^r of Bermudas, these present.

(2) White Hall the 15th Maie 1670.

S^r

ffrom o^r people that put into Bermudas in the Shipp Carolina, Wee understand of Your verie great Civilitie & kindness to them, And great assistance to the prosecution of their designe in hand, which though it be his Ma^{ties} and the Nations business as well as ours, Wee think Wee ought not to omitt giveing you our pticular thanks for the same. And alsoe doe desire you to give o^r thanks to the people under Your Government, Whom Wee understand have alsoe bin verie courteous and assisting to o^r people, And to assure them and yourselfe, If Wee may in anything be serviceable to either of you, You shall finde that Wee have a gratefull Sense of your Obligation which by this Action you have Conferred on

Your verie affectionate friends

Ashley, P^r Colleton
G. Carteret Albemarle
Craven.

To the honourable S^r John Heydon Governo^r of Bermudas.

33. At a Generall Court for the Som̃er Islands, held on Wednesdaie 19th October 1670.

(1) Wheras the Company and Plantation of the Som̃er Islands have bin abused, and may further be abused to the loss and defrauding of their dutyes, upon pretence of Parcells of Tobacco imported into the said Islands from Elutheria, New Providence and other the Bahama Islands. And upon the export of such Tobaccoe from the Som̃er Islands, through the mixing of some few rolls thereof with Tobaccoes of the growth of the said Islands, the Owner or Exporters thereof fraudulently doe and may colour their deceits, and free the tobaccoes from paying any duty to the Company. ffor prevention whereof, and the preserving the Rights & Dues of the Companie, Ordered. That all Tobaccoes of the growth of Elutheria, New Providence or any other of the Bahama Islands imported into the said Som̃er Islands, and from thence exported in any Ship or vessell whatsoever, shall be subiect to all laws & orders made, or to be made by this Company touching Tobaccoes of the growth of the said Som̃er Islands. And that all pleas, allegations & pretences to the contrary, shall be in noe case admitted. But that the same be absolutely Voyd, and of no effect to all intents & purposes whatsoever. And the Governor and Councell in the Som̃er Islands are to cause this order to be publickly proclaimed, that all psons concerned may have notice thereof.

Thomas Marten Secretiē
to the said Companie

. . . .

(2) Whereas much trouble hath bin occasioned in delivery of the Companies Magazeene Ship the Marigold by Chests of Tobacco of vast proportion, the like never having bin transported out of the Som̃er Islands, Ordered, That if any Chests shall be shipped aboard any of the Companies Magazeene Ships for the future exceeding in proportion One Thousand weight, that all such Chests shall be alowed only half of the usuall Tare. And to the end all psons concerned may have notice thereof, It is further ordered that the same be intimated in the next Generall Letters of the Company to the Governor and Councell in the Som̃er Islands, to be communicated to the Inhabitants there.

Thomas Marten.

34. At a meeting of the mayor part of Pembroke Tribe 31 October 1670 was then and there chosen by the vnanimous vote of the Tribe, eight men besidesthe Church-

wardens, for to agree with workemen for the repairing of the Church, and likewise when the worke is done, what theis men doe agree what euery man shall pay, according to his abilitie, wee will stand to.—Parish Register Pembrooke Tribe.

35. At a General Court for the Somers Islands Company held at Armourers Hall in Coleman Street London on Tuesday the 1st of November 1670.

(1) Whereas a late Order of Court bearing date 17th September 1655, granting a liberty to the Inhabitants of the Somer Islands to ship their Tobaccos in other ships, in case no ship or ships arrived from the Company on or before the 1st day of March, yearly, under the several cautions in the said Order expressed, was formerly Repealed and made void, since which time the Company have absolutely prohibited, almost every year to this present successively, the transport of any Tobaccos out of the said Islands (save in their own Ships) and that some question hath been made (though there hath been no other ground for the same, but carrying on of the corrupt designs of some mens private interest) that the said former order hath been in force, though repealed as aforesaid, and so the Company hath been exceedingly abused. To the end that all persons concerned may be undeceived, this Court do declare that the said Order of the 17th September 1655 was absolutely and formally the 26th May 1658 Repealed, and never since that time by any authority of this Court, or power derived from it, revived or appointed to continue for one moment. And this Court do confirm all their Laws and Orders made against transport of Tobaccos out of the said Islands, and do require the Governor and Council there to seize, to and for the use of this Company all such Ships or vessels as shall have aboard them any Tobacco or Cedar of the growth of the said Islands with intent to transport the same, contrary to what hath been appointed as aforesaid, and that they send home by the next Magazine Ship that shall arrive at the said Islands, all such Tobacco and Cedar, and further upon the seizure of such Ships, shall dispose of the same, as by further Order of this Court shall be directed and appointed.

Thomas Marten Secretie to &c

36. The following proceedings are of great importance, being the action of the Company against Perient Trott, whose defiance of their rules has long been con-

spicuous. They are the commencement of a contest which terminated in the Company's downfall:—

At a General Court for the Som̄ers Islands Company, held at the Lodgings of the Right Honoble the Lord Chamberlain at White Hall on Wednesday 9th November 1670.[1]

(1) Whereas his late Majesty King James of famous memory by his gracious Letters patent under the great Seal of England bearing date the 29th June in the 13th year of his said Majestys Reign over England, Scotland, France and Ireland &c. hath granted the Som̄er Islands and all Royalties therunto belonging or in any way appertaining to several persons therin particularly named and to their heirs and assigns, and thereby incorporated them by the name of the Governor and Company of London for the Plantation of the Som̄er Islands, with several powers and authorities to make Laws and Ordinances for the Government of the same and the Members of the said Company as by relation thereunto had it may and doth more at large appear. And whereas his said Majesty hath among other things in and by the said Letters patent Given and granted unto the said Governor and Company in these words following (vizt)

[Then follows a quotation from the Letters Patent, from the words 'and to the intent,' p. 95, vol. i., to the words 'in that behalfe,' p. 96.]

(2) And whereas by the established Laws and Orders of the said Governor and Company (videlzt) a Law bearing date the 26th day of November Anno Dom: 1628. Every man that shall adventure to the Som̄er Islands is to lade all his Goods in the London Ships set out by the Company and not in any other ship or ships but by license from the Company, and all Tobaccos in the same ship bound home to London aforesaid: and whereas also by another Order made at a General Court held the 18th day of August An°: Dom: 1658 for the better securing the Company's duties, it is thought fit and ordained that the Governor and Council of the Som̄er Islands shall have power given them, and they are hereby authorised by this Court to cause the sale of the Goods of any person there that is indebted for, and shall neglect or refuse to pay *such duties*. And in case there be not sufficient of Goods to satisfy and pay the duties owing by any person aforesaid, then we direct that the said Governor and Council do cause the lands of every such person to be extended

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[1] The Earl of Manchester, Governor of the Company, was the Lord Chamberlain.

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until the said duties be paid. And whereas also the said Governor and Company have for these 17 years last past, almost yearly sent Orders and Letters to the Governor and Council in the said Islands, expressly charging and commanding them not to permit any Tobacco or Cedar to be exported out of the said Islands, but to reserve all for the Company's Magazine Ships with further commands to seize all such Tobaccos they should find the growth of the said Islands in any ship or vessel intending to transport the same out of the said Islands, and to send home such Tobacco or Cedar by the next Magazine Ship of the Company that shall arrive at the said Island.

(3) And also by a standing Order of this Company for the preserving of Cedar made the 2nd day of September An°: Dom: 1659. It is Ordered as followeth (videlzt). Whereas the Timber the growth of the Som̃er Islands hath of late years been much destroyed by transporting the same into England and other parts, and by building therewith Boats and Vessels which have been disposed of, and sold to the Barbadoes and elsewhere, and under pretence of Warrants for transporting of Cedar granted to particular persons, much cedar hath been conveyed on board the Company's Magazine Ships to the general damage and prejudice of the Plantation, this Court taking the same into consideration do hereby expressly prohibit and forbid the transport of any Cedar wood out of the said Islands either in the Company's Magazine Ships or any other ship or vessel whatsoever, except such as shall be made use of for Cask or Chests to pack up the commodities of the growth of the place, or for necessary fireing to be spent in the Company's Magazine Ships, that are or shall be employed and sent to the said Islands. And if any person or persons shall ship or send on board any Cedar wood with intent to transport the same, except before excepted, every such person or persons so offending shall forfeit all the said Cedar wood and treble the value thereof to be levied by distress and sale of his, her, or their goods until the same be satisfied and paid, and this Court doth further think fit and order that all and every person that hereafter shall erect or build any boat or vessel with the Cedar of the growth of the said Islands shall give good security to the Governor for the time being, that such boat or vessel shall be for the use of the Islands only and not sold or disposed of to any other place, and the Governor and Council in the Som̃er Islands are required to put this order effectually in execution and cause the same publicly to be proclaimed to the end that all persons concerned therein may have notice thereof, and conform themselves accordingly.

(4) Now forasmuch as Mr Perient Trott regarding not the good and welfare of the Company while he was a member

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thereof (as he ought to have done) but seeking his own ends and private gains, though to the ruin of the Company and great damage of the said Somer Islands, hath used indirect ways and means for several years past by privately sending Ships to the said Islands without the privity or knowledge of the said Company, and contrary to their said Laws, and by his goods sent therein, hath forestalled the Market there, to the general prejudice of the Company, and hath secretly eloyned and conveyed away several great quantities of Tobaccos in several strange Ships, not belonging to, or authorized by the said Company, which Tobaccos ought to have been preserved for the Magazine Ships of the Company, and hath also forestalled the market here with the said Tobacco's making his own price, while other members could hardly gain anything for their Tobaccos, and by defrauding the Company of their duties, (as much as in him lay) hath exposed the said Islands to be betrayed and lost by defrauding the Company of those duties that are the only means for discharging of the Officers, and Minister's their Salaries, and upholding the Government both here and there, and providing for Arms and Ammunition for the necessary defence of the Somers Islands, and in particular the said Perient Trott hath caused to be secretly shipped out of the said Islands in the month of December last by one Bredcakes Ship 8342 lbs of Tobacco of the value of 4^d per lb amounting to the sum of £139 0s. 0d Sterlg, and likewise in the month of March last past in a ship of his own called the 4-Brothers whereof John Ffaulker was late master, conuayed and imported from the said Islands vnto the Port of London within this kingdom of England, without the license knowledge or priuity of the said company 18,604 lbs wt of Tob. of the value of 4d per lb, amounting to the sume of £310 1s 4d sterl, and also at the same time indirectly transported from the said Somer Islands vnto the Port of London, Cedar in the said ship called the 4-Brothers of the value of £15 the treble value being £45, all which sums amount to the total sum of £509. 2s stg.

(5) And whereas since the arrival of the said ship, Tobacco and Cedar to this Port of London the said Perient Trott hath so concealed part, and disposed of the rest, that the Company cannot sieze the same to and for their use, and that the several sums of money amounting to the sum of £509 2s Stg: hath been demanded of him the said Perient Trott, who doth refuse to pay the same to this Company. It is therefore ordered, in pursuance of the before mentioned orders of this Company, that the Governor and Council in the said Islands be required, and are hereby required to extend and sieze the Goods of the said Perient Trott in the said Islands for satisfaction of the

sums before mentioned, and in case there be not sufficient of Goods to satisfy and pay the same, then the said Governor and Council are hereby required and ordered to cause the lands of the said Perient Trott in the said Islands to be extended and siezed until the above said sum of £509. 2s Stg: be fully satisfied and paid, and to render an account thereof unto this Company at the first or next opportunity for that purpose. And hereof fail you not as you will answer the same at your peril.

THOMAS MARTEN Secretie to the said Company.

37. Extracts from a General Letter to Sir John Heydon dated London 9th November 1670, in reply to a letter from Captn Whalley and Council dated 15 July 1668.

(1) Whereas by our last genrall Letter wee did require that the oyle should be sent home by Capt Jenkins that was vnsent by Capt Morlie, and that there hath bin account giuen thereof, only in your last genrall Letter you give us to vnderstand that what oyle was formerly left behind and vnsent by ffaulkner was sent home by Morlie, saving that by the companys order reserued there for satisfying men imployed in and about the whale fishing Wee must tell you that wee are exceedingly abused by alleadgeing of any such order for that all the Lawes and Orders of the Company made touching the whale fishing are expresslie against the trading in any whale oyle whatsoeuer, or disposing thereof to any place sauing the Port of London. And that for the account of the Company only, and therefore we are altogether vnsatisfied with what is by you written touching the oyle as aforesaid It appearing by an account vnto vs sent, that in the yeare 1668 there were then made 28 Tons of which disposed to labourers 21 Tons and remayning undisposed of 7 Tons. And vpon the whole we do order and expect that you the Gouernor and Counsell doe transmit to this Court a full account of all the whole oyle that hath bin made in the Islands and that should haue bin sent vnto the Company . . .

(2) You having been by several orders from us, from time to time requested to send home unto us the Rent of Brereton with the arrears thereof, by you unduly received, and you having sent home unto us by the last Ship only the last years rent, but no arrears, we do hereby therefore strictly command and require you the Governor and Council to comply with our said former orders, and to send home the arrears without further trouble.

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(3) Whereas notwithstanding the mainie orders lately made against the Transport of Tobacco out of the Somer Islands under severe penalties, save in the Comany's Ships (vizt) there hath been lately transported in strange ships in or about the month of November last 21000 w^t of Tobacco by a New England Ketch, whereof John Alden was Master. In or about the month of December last 15 or 20000 w^t of Tobaccco by one Bredcakes Ship. In or about the month of March last 19000 w^t of Tobacco (weighed off here at the Custom house) having been transported out of the Islands by the Ship 4 Brothers, whereof John Falkner lately was Master. And whereas we are given to understand, that the said Falkner and Bredcake severally gave Bonds not to transport any Tobacco or Cedar out of the said Islands, We do therefore order that you the Governor and Council do transmit unto us by the return of this Ship the Bonds entered into by Bredcake and Falkner as aforesaid and that for the future you do give unto us from time to time an account of all Ships that shall touch at the Islands with the occasion of their touching there.

We having formerly received notice of a considerable quantity of Cedar and Tobacco, that had been transported out of the Somer Islands in Bredcakes Ship, did in our last General Letter require you the Governor and Council strictly to examine what Tobacco and Cedar had been so transported, and by whom, but no such account hath been yet returned. We do hereby revive that our former command, and do order and require you the Governor and Council to make examination as aforesaid, and to send unto us an account thereof by the next.

(4) Further in your last you making complaint of the great want of Servants to the Officers in the Islands belonging, by reason the terms of all the English servants are lately expired. And therefore you pray that there may be a sudden supply thereof. Forasmuch as the Company had taken order for such supplies reckoning of all the 70 negroes that came from Tortola as the Companys Rights to be disposed proportionably into the hands of all their Public Officers that are destitute of servants, and that the said order of Company (though often repeated) hath been very much neglected. We do hereby declare unto you, that the reason why your Officers are destitute of Servants as aforesaid, doth very much proceed from yourselves. And we do further intimate that the Company are not in a capacity to send over any English servants (as prayed for) at present. And we do strictly order, as formerly that you the Governor and Council do send unto us by the next a perfect account of all the said 70 negroes, in whose hands they now are, and for what they have been particularly sold.

(5) fforasmuch as Richard Stafford was chosen by vs to the office of sherriffe in the Somer Islands, and for that purpose had receiued his commission vnder the seale of the Compie and had bin intrusted with the rights and concernes of the Company, whose dutie and Care it was to prevent any damadge (as much as in him lay) that might accrue vnto the companie in any of those rights and concernes. And that the said Richard Stafford hath wofully abused that his Trust he haueing bin a ffactor to the private designes of men attempting their owne sinister ends to the p^riudice of the Company and plantacon All which needing no proofe but cleerely appearing from the very things themselues, as they haue bin lately acted since the said Stafford hath bin sheriffe in the secret transport of Tobacco out of the said Islands, the like miscarriage haueing neuer hapned as in his the said Staffords time viz that in or about the month of November last 21,000 lb of Tobacco was then suffered to be transported by a new England ketch whereof John Alden was M^r In or about Decem. last 15, or 20,000 lb of Tobacco by one Bredcakes ship, In or about the month of March last past 19,000 lb of Tobacco (weighed off her at the custome house) was transported out of the said Islands by the ship 4-Brothers whereof John Faulkner is master, whereas it plainly appeareth by the said Staffords letter to the company bearing date June 7, 1670 that he had a warrant to search the said ship 4-Brothers, and that he confesseth that he had searched her from stem to Post, and went with her himself out to sea and in his said letter he doth affirm (though most falsely) that he can with a good conscience saie that he knew but of one rowle of Tobacco that went awaie in that ship and neuer did giue leaue either directlie or indirectlie for any Tobacco or cedar to be carried awaie out of the Islands since he was in office: ffor all which miscarriage wee do think fitt and order that the said Richard Stafford be discharged from the office of Sherriffe to which he was chosen and appointed as aforesaid, and be further made vncapable of bearing any office in the Somer Islands for the future. M^r Anthony Jenour hauing bin presented vnto vs as a verie fitt person to execute the office of sherriffe in the Somer Islands, wee haue thought good to admit him therevnto and for that purpose wee have sent him our commission.

[(6) Mr. Samuel Smith, minister, having officiated in the Islands these 7 years past, is permitted to return at the humble request of his aged father. The Company reject the appeal of John Vaughan and his son, convicted of perjury; ultimately, however, they cancelled the record.

. . . .

(7) Whereas M^r Sampson Bond was Comissioned and sent

over by this Company to preach the Gospell in the Som̃er Islands, And to performe all offices and duties as became a minister thereof. It being a great part of the same, with all meekness and quietnes of spirit to behave himself towards all, and to endeavour the peace of the place, contrary whereunto, he the said Mʳ Bond hath shewed himself upon all occasions a person of a factious & contentious spirit fomenting divisions betweene Governoʳ and Governoʳ, people and people, and hath made it his practise to prosecute quarrells, and to egg on the people to needles Suites of Law in the Courts of the Som̃er Islands. But principally hath bin an instrument to discontent all the ministers sent over thither by the Company, by distilling into the eares of the Governor & Councell such things as might tend thereunto, And hath appeared active therein, And further hath occasioned the imprisonment of one of them for the space of 8 moneths. And, as if these were not crimes enough, he the said Sampson Bond hath bin an Instrument lately to present the Governor upon the Bench for some proclamãons made & issued out touching liberty to be granted to Negroes, embracing the Christian faith. And thereupon he the said Mʳ Bond hath come into open court, and owned his contrivance of, and avowed the said Presentment. And further did alleadge that the breeding up of such children in the Christian religion makes them stubborne. The contrivance of which presentment this Court doth adiudge seditious, and the uttering of the prealleadged words impious. Touching manie of which things, he the said Mʳ Bond hath by publick Letter from this Court Anº 1666 bin admonished, and since by manifold private letters from his friends & others, in order to his reforming, and the leaving of such practices. Notwithstanding all which, he the said Mʳ Bond hath psisted in those his former courses to the endangering of the publick peace, And causeing the contempt of the Gospell. Upon full consideration of the premises, wee do think fitt and order that the said Mʳ Sampson Bond be forthwith dismissed the Islands, And that you the Governoʳ & Councell take care to see the same pformed accordingly

. . . .

(8) The ingenious endeavour of Capt John Hubbard in promoting the planting of sugar canes in the Som̃er Islands, And his presenting this Company with a box of Sugar as an Essay in makeing the said Sugar Comodity thriving and practicable for the generall good of the Islands, haveing bin taken into consideration by us, we do take it in good part those his endeavours, and as a Testimony thereof, we have sent him the said Capt John Hubbard an Ankor of Brandy. And if the obiection

that is made against the planting of Canes (vizt) That the same will destroy the wood and fuell of the Islands, can be rationally answered by the supplie of coales, or some other way, wee do and shall encourage all that may be the said endeavours, and do referr it to you the Governor and Councell to deliver your opinions thereupon, And to transmit the same unto us, by the returne of this Ship.

(9) Wee have sent you by this ship 80 Musketts in two Chests, four Harquebuses, Six drum heads, as also the three fflaggs before mentioned, and more, three drum lines, three drum shares, packt up in a small barrell, all which you shall receive by Capt Pensax. . . .

(Signed) MANCHESTER.

38. (1) To Mr. Richard Norwood Generall suruaior of these Islands, or to any other capable person whom Mr. Norwood shall appoint By Sir John Heydon Gouernor. 11 Novem. 1670.

ffor the preuention of disputes about the proportion of Land belonging to the Church of Pembroke Tribe: these are to Require and Authorize you according to the contents of the Honorable companies order on that behalfe that you laie out one compleate Acker of ground for the accommodation of the said Church according to the discretion of the present Church wardens of the aforesaid Tribe whereof faile you notAnd for yor soe doinge this my warrant shall be your discharge Giuen vnder my hand at S Georges the 11th daie of November 1670

J HEYDON

(From the Records of Pembroke Parish)

(2) The Governor and Council, March 10, 167$\frac{0}{1}$, write to the Company 'Concerning Churchyards to be appropriated to the seuerall Tribes. yr orders haue bin published to that purpose since which time Wee have heard nothing of complaint, more p.ticularly Deuonshire Tribe hath bin ordered to laie out one compleat aker for their church yard which hath bin done by Mr Richard Norwood, wee believe the like rule will be obserued in all the Tribes to take awaie difference about bounds and limitts.'

39. At a Great and General Quarter Court for the Som̄er Islands Company held at Armourers Hall in Coleman Street London on Wednesday 27th November 1670.

Whereas the Company and Plantation of the Som̄er Islands have been much damnified by owners of Boats in the said Islands, who carry aboard strange and unlicensed Ships the Tobacco's and cedar wood of the growth of the said Islands to the defrauding of the Company of their duties for such Tobaccos and to the great waste of the Islands by export of such Cedar wood. For prevention whereof this great and General Quarter Court, by the power and authority thereof, doth Order, that all and every person or persons within the Limits or Bounds of the said Islands, that is, or shall be Owner of, or shall keep any Boat or Boats, shall respectively give Bond in the Sum or penalty of Twenty pounds Sterg, at the least to the Governor of the said Islands for the time being, to and for the use of this Company; that such boat or boats shall not be employed or used by any person or persons whatsoever at any time, hereafter to carry any Servants, Debtors, Tobaccos, Cedar or any other prohibited persons or Commodities of the growth of the said Islands aboard any Ship or ships arriving at the said Islands, either in the Ports and Creeks thereof, or aloof at sea without License from the Governor of the said Islands for so doing, except aboard such Ship or Ships as shall be entertained as the Magazines Ships, or otherwise Commissioned by the Company upon pain of forfeiture, to the use of the said Company, of every such boat or boats, and of all such Goods as shall be carried therein And the Governor and Council in the said Islands are further to cause this Order to be proclaimed to the end all persons concerned may take notice thereof.

THOMAS MARTEN Secretie to the said Company.

40. The wreck of the ship 'Truelove' of Bristol, on 6 December, 1670 (see vol. i. p. 739), led to proceedings before the Governor and Council sitting as a Court of Admiralty at St. George's, 19 January, $167\frac{0}{1}$.

(1) William Shepard Master of the Truelove, having been arrested at the suit of Jeremiah Burrows in an action of Debt and charges for goods removed out of the wreck, and having himself arrested Burrows for concealment of goods. Appeals to the well known work Lex Mercatoria[1] and other authorities, to

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[1] 'Consuetudo vel Lex Mercatoria, or the Ancient Law Merchant, by Gerald de Malynes, merchant, 1622.' 2nd edit., London, 1656.

establish a claim for speedy adjudication by an Admiralty Court.

Burrows insisted on trial at an assize, where he would probably have found a sympathetic jury, and challenged the authority of Lex Mercatoria.

The Court concluded that the book in question having been formerly sent over to the Government by the Company, was valid and authentic to all intents and purposes. Burrows therefore, refusing to prosecute his own Action, was non-suited, and judgment was given for Shephard, upon evidence that goods to the value of £208, (besides severall caskes of Brandy, cables, anchors, and other comodities, not as yet brought to light, or to S Georges, according to order of Government,) were shipped aboard the said ship in Bristol, and have bin by the said Burrows and others concealed and detained, to the great damage and detriment of the said M^r^ Shephard, and his employers in England.

(2) The Governor And Councell takeing into Consideration the great inconveniences lately occasioned by Boates goeing forth without leave (Contrary to the Hono^ble^ Companys former Orders in such cases provided) to the Releife of the Shipp Truelove of Bristoll, M^r^ William Shepard Master thereof. To prevent the like for the time to come, have nominated and appointed certaine Boates in every Tribe belonging to the persons here underwritten, And noe other, Except such as they shall call to their assistance, and answer for. In the first place they are to take care of the persons, Secondly of the Goods; Thirdly, that they doe not disable the shipp by cutting or destroying the Sailes, Cables, Shrouds, or Apparell thereunto belonging. And what Goods shall be recovered by every or any of them, That forthwith they bring the same to S^t^ Georges (Winde and wether permitting) where the Masters of the Shipps releived shall be Ordered by the Governo^r^ to give them satisfaction, And in case wether will not permitt them to come directly to S^t^ Georges. That they with their Gang convey the Goods soe recovered to the Justice of the next Tribe, who is to write downe the particulars, and send them to S^t^ Georges with all convenient speede, with the names of the recoverers. On sure trust & confidence of the care and redines of the persons so named, in a worke of soe much piety & Charity. They are hereby advised & Required to take speciall notis of this Order.

(3) The names of such Owners of Boates as have bin thought fitt to goe, or send out their Boates for the Releife of Shipps in distress are subjoined. Two in every Tribe.

CHAP. XV.
1669–1681.

41. At a Councell Table. 31 January 167$\frac{0}{1}$.

. . . .

(1) Unanimously Ordered, that M^{r} Richard Stafford late Sheriffe doe give in an Accompt of what powder, Monie, Tobaccoes or Necessaries of, or belonging to the Hono^{ble} Company or this Plantation he hath in his hands, at the next ensueing Councell Table. And that the psent Sheriffe give him timely notice thereof, that hee may answer the Governo^{r} and Councells expectation accordingly.

(2) Unanimously Ordered, that M^{r} Richard Stafford late Sheriffe, doe compleat this last yeares Levie. And give his Discharges for what Tobaccoes have not bin yet paid according to Order while he was Sheriffe, the which Discharges under his hand with the Subscription (Richard Stafford late Sheriffe,) shall be each Counsellors, or other persons therein Concerned, sufficient Discharge.

42. At a Council Table 15 Feb^{y}. 167$\frac{0}{1}$.

(1) A Petition from M^{r} Sampson Bond Minister being inclosed in a Letter to M^{r} Jonathan Turner Councellr of Devonshire Tribe, And presented by him to the Governor and Councell, And after perusall of the same, It being Judged to be of dangerous Consequence, Charging the Honob^{le} Compīe with Iniustice in severall Clauses of the said Petition. And upon perusall of the Hono^{ble} Companys late Order in their Generall Letter dated the 9th daie of November 1670, strictly Com̄anding the Governor and Councell forthwith to dismiss the said M^{r} Sampson Bond Minister from these Islands. It is therefore unanimously Ordered, that the said Order be forthwith put into Execution. And that Warrants be issued out to the Sheriffe, Churchwardens & Constables of Pembroke & Devenshire Tribes, forthwith to dismiss the said Bond, and his ffamily out and off the said Gleabe, allowing him reasonable Satisfaction for whate paines or Charge is iudged he hath bin at in making of Plant Bedds, and planting of Corne & potatoes since Christmas last past. And likewise for his forthwith dismission out of these Islands, there being now present severall vessells fit for accomodation bound to severall ports, more especially the Hono^{ble} Companies Magazeene shipp, bound for the port of London, in which, if M^{r} Bond please to transport himselfe, it is conceived he may then be in the nearest capacity to vindicate himselfe, And recover Satisfaction, if the Hono^{ble} Company hath done him wronge, as he alleageth in his aforesaid petition.

(2) To Mr Anthony Jenour Sheriffe of Som̄er Islands. By Sir John Heydon Kt and Governor.

Whereas Mr Sampson Bond late Minister of Pembrooke and Devenshire Tribes, is by the express Order of the Honoble Company for the Somer Islands, held at their Court in Armorers Hall in Coleman Streete London, bearing date Novembr the 9th 1670, to be forthwith dismissed these Islands for severall Crimes and Miscarriages Charged upon him in the said Order And whereas Wee, the Governor and Councell are Ordered to take care to see the said Dismission performed accordingly: there being at present Shipps in the Harbors of these Islands that are redie & comodious to accomodate passengers for Old England & New England, Virginia, Barbadoes & the Leeward Islands, These are therefore, In his Maiesties Name to will and require you forthwith to repaire to Mr Sampson Bond aforesaid. And to Charge and Comand him to departe these Islands forthwith, according to the Order aforesaid, as he the said Mr Sampson Bond will answer the contrary at his perill. Given under my hand at St Georges, the 17th daie of ffebruary Ano: Dom: 1670.

J. Heydon.

(3) To Mr Anthony Jenour Sheriffe. And to the Church Wardens and Constables of Pembrooke and Devonshire Tribes. By Sir John Heydon Kt And Governor

Whereas Mr Sampson Bond late Minister of the Tribes abovesaid, is by a late Order of the Right Honoble the Governor and Company for Som̄ers Islands, to be forthwith Dismist these Islands, And the Churches of the aforesaid Tribes are by the said Mr Bonds Dismission, become vacant.

Wee the Governor & Councell doe in his Maties Name, will & require you forthwith to possesse yourselves of the dwelling house or houses with the Gleabe lands belonging to the Tribes aforesaid, And to receive and take all the Com̄odeties, profitts and advantages, coming, growing or belonging, Or which hereafter shall come, grow or belong to the said dwelling house or houses with the Gleabe lands aforesaid. And the same reserve for the use of the next Incumbent that shall be sent over by the Honoble Company. And in the interim not dispose of, let, sel or rent the said Dwelling house or houses, or the Gleabe Lands, or any part thereof to any person or ysons whatsoever, without the Consent of us the Governor & Councell, That the next Incumbent as aforesaid, may have the premisses im̄ediately in his possession upon his arrival in these Islands, for the maintainance of himselfe and ffamily, As likewise, that you forthwith put this Warrant or Order in execution. And within Six daies after your Execution thereof, make a returne of your proceedeings therein to mee at S^{t} Georges. Whereof fail you not. Given under my hand at S^{t} Georges, together with the publick Seale of these Islands hereunto affixed the 17th day of ffebruary Ano: Dom: 167$\frac{0}{1}$.

J. Heydon.

To all Counsellors, Constables, or other Officers of these Islands to be assisting (if neede bee) in the execution of the premises.

(4) These vigorous measures might have overcome any ordinary degree of combativeness: but the powers of Rev. Sampson Bond in this respect were worthy of his name. He replied in a second Petition full of special pleading, and succeeded in getting his parishioners to back him, but in vain. The Governor was determined to get rid of him, and he was forced to go to England (*see* again under date 18 June, 1672).

To the Hono^{ble} Sir John Heydon K^{t} & Governo^{r} and the Councell, the humble Petition of Sampson Bond Minister, Sheweth.

That on the first daie of ffeb: 167$\frac{0}{1}$ y^{r} Peti^{r} received a Copie of a Clause of the Hono^{ble} Companies Gen^{r}all Letter, examined and signed by your Secretie, wherein are manie and greivous suggestions only alleaged, with an Order annexed, which runns thus. Upon full Consideration of the premises, Wee doe think fitt and Order, That the said M^{r} Sampson Bond be forthwith dīmissed the Islands, And you the Governor and Councell take care to see the same performed accordingly. According to the said Order, your Petitioner doth desire that there may be a full Consideration of the said premises before his dismission, hopeing that your Hon^{rs} will not seperate the Cause (full Consideration &^{c}) from the effect (dismission) since the Order (as, God in nature, and the King in Lawes) hath united & joyned them together (yet, in this Method, the Cause before the effect) and that you the Governor and Councell take care to see the same performed accordingly, which referrs, and looks back to the said Cause, as well as to the said effects. To the Cause first, to the effect afterwards. Now, may it please y^{r} Hon^{rs}, The full

Consideration of the p^{r}mises (which, yet are alsoe to take care of by the Kings Lawes to see p.formed) cannot be done without a full hearing of all parties, which is published in Magna Charta, Declaring, That any Judgment given contrary to the said Charter, Is to be undone and holden for nought. 25. Edw: 1. Ch: 2. Your Petitioner doth therefore humbly desire your Hon^{rs}. That the Allegations and suggestions in the Clause may be duly proved, and his answer thereunto taken, with liberty to produce Witnesses to make good the same. To this end, it is desired by y^{r} Petitioner that his Accuser or Accusers may noe longer lye concealed from him. And that his said Accusers may be required to put in Security to pursue the said suggestions, which Com̄anded in the 37 Edw: 3. 18 ut supra, and which ought to be done in the same Country where the crimes are alleaged to be com̄itted, and if any thing be done against the same for the outing of any man of his freehold, Libertyes, free Customes or livelyhood, It shall be redressed. . . Hereby is intended, saith Cooke, that lands, teneēnts, goods, Chattels, shall not be Seized into the King's hands (then not into the hands of any below him) contrary to this great Charter &^{c}. 43 Ed: 3. Cook 2. Just: 32. Neither shall any freeman be put from his livelyhood without answer Cook: Just: 47. which is your Petitioners case, for he had a legall entry (and that of right) into his Parsonage house and Gleabe lands, with a peaceable & quiet possession therein for the space of eight yeares last past, which maketh his tenure in the p^{r}mises, a Legall ffreehold, and is the best Title in Life, till a better be iudged by the verdict of his peeres. A Jurie of Freeholders.

Likewise, the Kings Judges (of whome the Governor of these Islands is one) are obliged by Oath to disregard the Kings letters (if against his Lawes) though under the great or little Seale, which said Oath runs thus. If any force comes to disturb the execūion of the Com̄on Lawes, ye shall cause their bodyes to be arrested and put in prison, ye shall deme no man right by the Kings Letters nor counsell the King to any thing that may turne to his damage or disherison 18 Edw: 3. 7 neither to delay right by any Com̄and under the great or little Seale.

This is the Judges Oath & charge 2 Edw: 3. 14, upon the whole Cooke observes: This hath bin by 32 Parliaments Confirmed, established & Com̄anded to be put in Execution, with the condign punishments they have inflicted upon the offenders: Cooks proem: to the second book of his Institutes, And which is yet of further moment, The late King Charles (of ever blessed memory) in his Declaration at New Markett An^{o} 1641, acknowledged the Lawe to be the rule of his power. And to the same most excellent purpose did our gratious King in his speech to the Parliament Ano 1662 declare, That the good old rules of Lawe are our best security.

These princely premises Considered, yr Honrs may assuredly conclude, that it cannot be the mind of the Honoble Company, that any letters which come from them to you should be put in Execution either before or against the due execution of the Kings Laws, nor did they ever intend that you should exēcise any Arbitrary power on yr petitionr, which he hopes is not in yr heart (in the least) to doe: Considering the ample Certificate which yr Honours, and with the last Genrall Assembly, did soe freely and unanīously give to, and transmit to the Honoble Company on the behalfe of yr Petīionr, which Certificate is most contrary to the clause in the Genrall Letters, which Clause is alsoe apparently destructive to yr petitionrs libertyes, the Creditt & successe of his Ministry, his present & future livelyhood, together with the good name of your unhappy petitioner: Who doth againe with the greatest importunity beseech yr Honors to grant him a due tryall on the said Clause, (who is redy to defray all iust expences incident thereunto) according to the Kings Lawes as abovesaid. Nay, according to the good word of God. Jo. 7: 51. doth our lawe iudge any man before it heare him, and know what he doeth. Now, can your Xistian Honrs suffer yr Petitioner to be iudged guilty, and not endeavor his iust vindication, especially when ye know it is a Judgement without any Tryall hearing of, without any kind of sum̄ons or notice given him, and all proceedings therein wholly concealed from him; in such cases who can be safe or sure long to enjoy what he hath, or doth possesse, which is humbly submitted to the goodness and tender Considerations of yr Honors.

And your petīoner shall ever pray &c.

Sampson Bond.

43. At a Councell Table held at St Georges, the 3rd & 4th daies of March 167$\frac{0}{1}$.

Upon the delivery of Two Petitions of the same substance from Pembrooke and Devenshire Tribes, for the staying of Mr Sampson Bond, their Minister Unanimously voted, That the Honoble Companies express order, concerning Mr Sampson Bonds dismission, shall be put in speedie execution according to a former Order of a Councell Table held at St Georges the 15th daie of ffebruary last past. And that Mr Anthony Jenour Sher: be empowered, at Discretion, in case Mr Sampson Bond shall forthwith depart the Islands, to Lett his dwelling house and Gleabe aforesaid for the Honoble Company or next Incumbents most advantage, to Mist^{rs} Bond or some other person for her use; he the said M^{r} Anthony Jenour takeing Security, That the Tenant depart the aforesaid house and Gleabe the ffourteenth daie of November next ensuing, or upon demand im̄ediately after the arrivall of another Minister sent from the Hono^{ble} Compīe.

44. At the same Council.

Upon the motion of Sir John Heydon Governo^{r}, for the makeing upp the gapp betweene Gallowes Island,[1] and the Island next adiacent, by his Hono^{r} and the Councell Judged to be com̄odious and advantagious for the Secureing Vessells as well as Boates riding at anchor or grapple within the said Islands. Unanimously Ordered that the two saile Boates, that are judged by the Councellors of the respective Tribes, capable to carrie considerable loades of stone, be, by them piched upon, with gangs proportionably. And that the owners of Boates be required, by Warrant directed to the respective Councellors, by or before the last daie of June next ensuing, to carrie to the said place their Boates loded with stones for the makeing upp a Wall, of such Bredth and heith, there as M^{r} John Bristowe Sen^{r} shall conceive to be com̄odious for the use aforesaid, by and with the assistance of the Inhabitants in or about the Towne, the other Inhabitants belonging to S^{t} Georges lying liable to bring stones, as well as the Tribes Boates for the finishing the aforesaid necessary worke. And that the Masters of all Boates soe loaded, doe repair to the said M^{r} Bristowe, or whome he shall appoint, and give him notice of their coming therewith, that he may order their delivery thereof as hee shall appoint; Hee likewise being ordered to take notice in writing, what and whose Boates doe attend the work aforesaid untill the same be finished.

45. The frequency with which disastrous shipwrecks must have occurred, before the dangerous coasts of the Bahamas and Bermudas were well surveyed and well lighted, has been illustrated by many occurrences of the kind recorded in these volumes. The following document shows that instances of the recovery of valuable property from them, were common enough to attract at last the notice of the Lord High Admiral of England.

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[1] Not the Island off the Flatts, but one in St. George's Harbour.

CHAP. XV.
1669–1681.

Agreement between H. R. H. the Duke of York and Edmond Custis Sen^{r} of London 8 March 167$\frac{0}{1}$.

It is Covenanted, Contracted & Agreed by & betweene his R: Highness James Duke of York and Albany, Earl of Ulster, Lord High Admirall of England & Ireland &^{c} on the one parte, And Edmond Custis Sen^{r} Merch^{t} for himselfe and Partners on the other part as followeth (videlzt)

That the said Edmond Custis and Partners, his or their heires or Assignes have full power & free Liberty & Authority to Search for, fish for and recover, at, upon or neare the Sea or Sea Coasts belonging to his Maiesty in the West Indies, or the Bermudas, all such Shipps Vessells, Treasure, Goods, Gunns or Merchandizes whatsoever which have been or shall be dureing the continuance of this Contract, Sunck, lost or Cast awaie in all, or any of the said places, And which are of Right belonging to his R: Highness as Lord High Admirall of all his Ma^{ties} Dominions beyond the Seas.

That the said power & liberty of fishing for, and recovering such Goods, Merchandizes &^{c}, shall continue from the daie of the Date hereof for and dureing the Terme of fifteene yeares, if his Royall Highness shall soe long live.

That the said Edmond Custis and Partners, his or their Heires or Assignes have free liberty & power to sell and dispose of to their best advantage, all such Shipps, Vessells, Treasure, Goods, Gunns & Merchandizes, which they shall recover as aforesaid, they delivering such parte thereof at such place or port as is hereafter mentioned for his Royall Highness.

That his R: Highness shall not dureing the said Tearme, Grant any Com̄ission, power or Authoritie unto any other person or persons, other then the said Edmond Custis & Partners, to attempt the fishing for, or recovering of any Ships, Vessells, Treasure, Gunns, Goods or Merchandize in any of the places aforesaid.

That the said Edmond Custis and Partners, his or their Heires or Assignes shall well & truly deliver or cause to be delivered, for the use of his R. Highness, One full and entire fourth part of all such Shipps, Vessells, Gunns, Treasure, Goods & Merchandizes which shall be by him or them or their Agents recovered as aforesaid at, upon or neere the Seas or Sea Coast of any of the Lands, Islands, Plantations or Territories belonging to his Maiestie as aforesaid; the said fourth part to be delivered free of all charges unto such person or persons as his R: Highness shall appoint to receive the same at som Port within the Kingdom of England, the dangers of the sea excepted.

That his R: Higness may (if hee shall think fitt) send one or more persons aboard each ship which the said Custis or Partners, his or their Heires or Assignes, shall imploy as aforesaid uppon the service of Wreck fishing, to observe what Goods shall be recovered, Which said person or persons shall be Civilly Treated, and have liberty to inspect the worke, whereby he may be enabled to gaine a perfect account what shall be recovered. And shall be alsoe victualed on board of such Ship, on which he or they shall be, at the Cost & Charges of the said Custis & Partners. And that the said Custis and Partners their Heires or Assignes shall give notice to his R: Highness his Secretary Three weekes before every such vessell doe proceede upon the said worke of Wreck fishing, And that every such Vessel shall touch at some Port in England to receive on board such person or persons as shall be put on board in behalfe of his R: Highness for the Inspecting & takeing an Acco^t of the said worke. In witness whereof his said R: Highness hath hereunto sett his hand & Seale this 8^th day of March 1670.

(Signed) James.

(2) Having signed the foregoing agreement: the Duke of York then issued a commission to Custis to carry out his part of it, and an order to all persons in authority to facilitate the undertaking.

(3) Also a warrant of appointment to Captain Robert Barber, to go on board the 'Prince' frigate, John Warwick master, to look after his interests.

(4) Also Instructions to the same Barber to mark all property recovered, to keep a journal of proceedings, and an account of time, and to report the progress of the affair to the Secretary of H. R. H. by every opportunity. All which are entered at length.

46. A poetical description of a voyage to Bermuda, published in 1671,[1] gives us a very lively account of their social state at this time, accompanied by descriptive notes, many of which are curiously applicable at the present day. It is dedicated to the Right Honourable the

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[1] 'A Description of the Last Voyage to Bermudas, in the ship "Marygold," S. P. Commander (Samuel Pensax), by J. H. (John Hardie). Begun November the twelfth, 1670. And ending May the third, 1671, with allowance. London printed for Rowland Reynald at the Sun and Bible, in the Poultrey. 1671.'—From the Library of the Hon. H. Murphy, Brooklyn, to whom the writer is much indebted for the loan of it.

CHAP. XV. 1669-1681.

Governor and Company of London, for plantation of the Summer Islands, and commences thus :—

As richest Diamonds when enshrined in gold
And set in darkest Foyls, more Rays unfold,
So stands that beauteous Isle on Rocks and Sands,
Encircled with Great Neptune's watry Bands,
Who when impell'd with Gusts, make haste before,
Dashing themselves, enamel all the shore :
This pleasant Isle's the subject of my Muse,
That late from raging Seas suffered abuse,
Now enters Port, and after dreadful Toyls,
To you (Renowned Sirs) gives up her Spoyls,
The matter, place, occasion, every Section
Are yours, and therefore claims your just protection.
Accept (great Sirs) your own ; for by your Eye
These Cabbin Sea-sick Lines must live or die.

Your Honors most Humble Servant

John Hardy.

The Prologue.

Assist great Jove, and help my wandring muse
Poetick Strains into my quill infuse,
To sing the truth the praises and the Fame
Of th' Isle Bermuda. Call'd so from the name
Of Spanish Juan Bermudas : though of late
Its name was changed by Summer's happy fate,
Whose Heart and Bowels buried, there to be
A witness of it to Eternity.

Omitting a few opening stanzas, the poet says :—

. . . . . we
Long wishd for Summer Islands plainly see
When as our Captain caus'd a roaring gun
For to be fir'd. Which once being done
A Pilot came aboard, through dangerous rocks
He safely carrying without any knocks,
Into King's Castle Harbor,[1] where doth stand
Two Castles, entring ships for to command ;
After salutes to either we at last
Near Captain Hubbards Bridge our anchor cast ;
Some Brandy buy and suchlike liquid ware
Others of New Tobacco pipes have care
To store themselves, whilst others do agree
Goods to exchange for such commodity
The Country doth afford, and some are willing
To sell their goods at threepence on the Shilling.
This time it lasts not long, when suddenly
Must work all hands, the Island Boats we see
Deep loaden with Tobacco, which they bring

---

[1] In King's Castle Harbour, about a mile and a half from the shore.

Unto the side, from whence we take it in.
To give description of these same[1] Boats
With tripple corner'd Sayls they always float
About the Islands, in the world there are
None in all points that may with them compare.

. . . . .

No adders, Serpents, Toads or Snakes are seen
To prejudice Man's health, but it is stor'd
With Bienes, Goats, Oxen, Sheep which doth afford
Fine woolly fleeces, with such things as these
Thou dost abound, ty'd[2] to Palmeta Trees, (*g*)
Whose uses are so many, not unfold
Them all can any man : from Winters cold
It keeps their Houses thatch'd with 't, & its mats
For Bedding makes, with Baskets, brooms & hats
Nay more, it Cordage doth afford, in 'ts top
A Cabbage grows, for meat, and do but lop
Or bore a hole in 't, you may plainly see
A pleasant liquor flowing from the tree.
Its fruit is luscious, whose stone's black as Jett
Will make neat Buttons if with silver set.
The lofty Cedars (*h*) here do grow . . .

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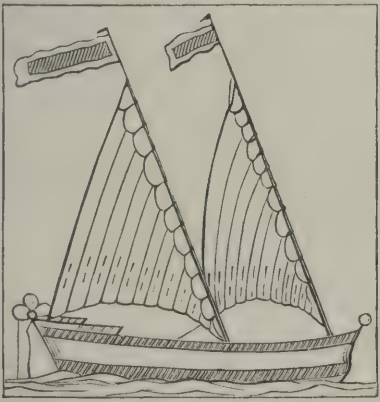
[1] The Author here introduces a rude cut of the Bermuda boat of the period, which is worth reproduction, as the rig is entirely different from the one-masted rig of the present day.

The Islands boats after this form, carrying five or six chests of tobacco or more. They lie so near the wind, that they will fetch the same place they took upon close hauled.



[2] They tye all their cattel, as horses, asses, hogs, goats, sheep, &c., to trees, where they feed on the mellilot and fennel, round about them.

(*g*) The palmeta tree is a straight tree about the height of an apple tree, growing with broad leaves at the top, closed together in manner of a Fan, which they put to several uses more than I can now relate.

(*h*) Cedar Gumm as hath been often experienc'd is good for Gonorrhea's, the Berries which are like Juniper Berries, are of the same nature as Juniper Berries are, they boyl them in water and make Drink for their constant use of it.

CHAP. XV.
1669–1681.

The lime, the Lemmon and the Orange tree
Pomegranates, Gwavers, Fig trees too,
Whereof a pleasant kinde of drink they brew,
With Mulberries likewise, but if I may
Call it a Tree, the Pine (*i*) bears all away
All taste of others in't you think upon
Pears, apples, peaches, cherries, every one
Appears in'ts taste : here grows the prickle Pear
Whose inside of a scarlet colour are.
Here's Roots as well as Trees, Potatoes good
For Sustenance of man to make pure blood.
And here Cassawder, to which, though its Juice
Be poyson, (*l*) yet they now have a device
To press and grate it. . . .
Plenty of fish is. (*n*) Which the people store
As Pilchards, Sinnets, Gruats and Salmon Peal
With Rock fish, Porgoes, and the slippery eel
And Mullets plentiful are in the Sound
The water flowing to them underground,
Being most salt, and all (*o*) along the shore
There are dark caves, of a miles length or more
Extending under ground, in which there be
Deep holes with water, though no one can see
A passage for it in. . . .
. . . Angel-fish by light
They carry in their boats in darkest nights
And Groopers too none of the meanest size
Which salted, they do send for merchandize
To the West Indian Island with their Beef,
Which yeilds the inhabitants there much relief.
Here in the time of year the mighty whale
Appears upon the Coast, who with his Tayl
Small boats can overset. . . .
. . The main Land, being compassed round
With four hundred small Islands, rather more
Some one, some two miles distance from the shore.
But behold the Ship
Which for to fill our Seamen will not slip
Any occasion, But with Cedars chest

(*i*) Pine are much after the Figure of a Scotch Thistle, and in my minde taste most like a Peach or Maligotoon; they grow in low marshy grounds. [This last word appears to be a corruption of *Mala cotonia*, quinces.—Ed.]

(*l*) Poyson-weed, a shrub which runs up Trees as the Ivy, and hath poysoned abundance of People, especially in wet, foggy, rainy weather, and poysoned some that hath onely lookt upon it, as many can testifie.

(*n*) They have many more Fishes, such as Greyhound fish, Rainbow fish, Anchoves, though I think not the right. Crab fish as big as lobsters: Oysters, wherin sometime they find small Pearl.

(*o*) I believe the Island is hollow, for there is some holes that none can find the end of them some hot as a Stove upon the Northerly wind, as that near Tucker's Town; and that there is water in them may be proved: by the Cooper's Hole, the Devil's Hole, and a place near Walsingham Bay which water, though a good distance from the Sea, is as briny and salt as it is.

CHAP. XV. 1669–1681.

And Raven's foot Tobacco in them prest
The ship's hold fills. . . .
The ship now quite full, and a Western gale
The anchors being up, now fills her sail
When that the glorious raies of the bright Sun
Through one sign of the Zodiack had not run
The Pilot at the Boltsprit [a] and doth stand
Giving from thence the strict word of command.

. . . . . .

47. At the Assizes 12th June 1671.

. . . .

(1) The Jury for our Soveraigne Lord the Kinge doe present Degoe a Molatto-man, now or late the Servant of Mr John John Wilson of Pagets Tribe Plantr, ffor that hee the said Degoe upon Saturday the Twentieth daie of Maie, in the yeare of our Lord 1671, by force and Armes did enter upon the dwelling house of Capt Samuell Whalley of the aforesaid Tribe, Gentlān. And then & there did break open the Chest of Daniell Redon, Plantr, And ffeloniously did take, steale, and beare away ffifty six shillings in Monie (som Spanish and som English Money) one Neck-Clothe of silke prized Seven Shillings Six pence, part of which aforesaid money the said Degoe hath redelivered, being the goods & chattels of the aforesaid Daniell Redon. All which is against the peace of our Soveraigne Lord the Kinge, his Crowne & dignity, And contrary to the forme of the Lawes & Statutes in that case made and provided.

To which Indictment the said Degoe pleaded not Guilty, And put himselfe, upon God & the Country, which being a Jury of 12 Sworne men, They found him Guilty of ffelony. And upon his craving the benefitt of his Clergy, and being able to read, According to the answer of Mr Samuell Smith Clericus, Hee was, by the Vote of the Court, made Cōmon Executionr.

(2) Ordered, that whatsoever psons are listed by the Captaines of the Trained Bands, betweene Sixteene and Sixtie yeares of age, that doe not appeare at every muster for the time to come, That the said Captaines do returne their names to the Sheriffe, he being Required and Impowred to demand & receive of each Absenter ffive shillings Sterl, or Tobacco to the like value. And uppon default of payment, to Seize to the value thereof, for Publicke uses, and to returne the Overplus, if any be; and such persons as aforesaid as shall absent themselves at an Alarum for the time to come, are hereby Censured to pay ffortie Shillings to the Sheriffe according to order as aforesaid;

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[a] Pilot stands at the Boltsprit, and because there is no Land-marks, and he cuns the ship in by the Rocks under water, luffing for one and bearing up for another, they usually chuse to pilot them in or out at the sun's rising or setting, because then the sun hath the least reflexion.

CHAP. XV. 1669–1681.

and further to be Lyable to the mercy of the Captaine Generall for their so defaulting.

(3) Upon a Presentment of the Grand Inquest against such persons as have absented themselves from the Churches upon the Sabbath daies, Ordered that Quakers, and all other persons as have bin absent ffowre Sabbath daies together before the Grand Inquests Presentēnts shall paie unto the Church Wardens of the respective Tribes ffowre shillings to be levyed upon their the said Absenters Goods & Chattells for the use of the respective Tribes, where such offenders do live. And the respective Counsellors or Constables to be assisting (as occasion shall require) to the Church Wardens in their recovery of the p^{r}misses.

. . . .

(4) Upon a Presentment of the Grand Inquest exhibited against the Inhabitants of the small Islands, touching the abuse of destroying Palmeto Treese thereupon, which Islands have bin appropriated by the Hono^{ble} Company for the use of the Country in Generall, for want of which Treese, many Inhabitants have bin deprived of the leaves thereof (most useful for the Thatching of their houses) Ordered that the Counsellors of the Tribes next adiacent to the said Islands, for the time to come, doe give leave and Order to Inhabitants where and upon what Islands to cutt Leaves for their respective uses. And no other person.

48. We have next a communication from the Committee appointed by the Company to endeavour to put a stop to the regular practice of smuggling, by which they were defrauded of their dues.

Sir John Heydon

We whose names are subscribed, being of the Company appointed by an especial order of the Honoble Sōmer Islands Company to search such ships as have touched at, or come from the said Islands for Tobaccos and other prohibited goods, not having Commission or License from the Company for transport thereof, and the same to seize and secure for the use of the Company. And there being arrived at this Port of London since January last, the Ship Orange Tree, Thomas Show Master; the Arcaina Merchant, Nicho: Pepperell Commander; the Royal Port Merchant John Webber Commander; and at Plymouth the Owner of Plymouth,—Ball Master which Masters and Commanders have signed bonds (as we are informed) according to a late Order of the Company, not to transport out of the said Islands any Tobacco, Cedar, and other prohibited goods, Debtors, Servants &^{c}, notwithstanding which there hath been shipped and transported aboard the said Ships, or most of them, several considerable quantities of Tobacco and Cedar to the great detriment of the Company and Plantation, the Tobacco so transported forestalling the market to the private gain of some one member or members, but to the general loss of all the rest, and this being done, when the Company have sent 2 Ships with their Commission to transport the Commodity; and their Magazine Ship the Marigold being despatched away months before the usual time, which set sail out of the Downs 29th November last. We therefore require you to send over those Bonds by the first opportunity, the Company being resolved to put them in suite and to recover the forfeitures having committed the managing of that business solely unto us; and thus expecting your speedy and exact performance (having sent you these lines by way of Barbadoes) Wee rest your very loving friends.

John Chandler, James Jansey,
Humphrey Meverell.

London 20th April 1671.

To our very loving friend Sir John Heydon, Depy: Govr: Somer Islands.

49. At a General Quarter Court for the Som̄er Islands Company held in Queen Street London on Wednesday the 12th of July 1671.

A Law making forfeit all such Goods and Commodities as are usually imported into the Som̄er Islands in the Company's Magazine Ships in case the same be imported thither in any other Ships. Also for the seizure of Tobacco and Cedar sent aboard Ships to be transported without Licence.

Whereas by his late Majesty King James his gracious Letters patent of Grant of the Som̄er Islands to the Governor and Company of London for the Plantation of the said Islands bearing date the 29th day of June in the 13th year of his Majesty's reign, all and every person and persons whatsoever of what degree and condition soever he, they, or any of them be, are straightly charged and commanded, that none of them other than the said Company, their Successors, Assigns, Deputies, Servants, Factors, or their Assigns, or some of them, do at any time thereafter attempt, presume, or go about any manner of way directly or indirectly to transport any Moneys, Goods or Merchandize out of any his Majesty's Kingdoms into the Limits or boundaries of the said Som̄er Islands, or import out of the said Islands or any part thereof into any foreign parts or into any his Majesty's Kingdoms, upon pain of forfeiture of all such money goods and

Merchandize which shall be so imported or exported contrary to the true meaning of the said Letters Patent, and of the Ships and vessels wherein the same shall be transported or imported and to the use of the said Company their Successors and Assigns. And upon such further pains penalties and imprisonments as by the Laws and Statutes of this Realm or by his Majesty's prerogative Royal may any way be inflicted or adjudged for their contempt in that behalf. And whereas by a late law made and enacted at a Quarter Court holden for the said Company 26th November 1628 Every man adventuring to the Sōmer Islands is required to lade all his goods on the London Ships set out by the said Company, and not in any other Ship or Ships but by Licence from the said Company. By which Law it is directed. That all the Tobaccos made in the Sōmer Islands shall be laden aboard the Company's Ships and no other, and so brought to the Port of London. And whereas since that time the said Governor and Company have in pursuance of the said Letters patent and law once every year and oftener (for several years together) by their general Letters and orders sent to the Governor and Council in the said Islands, straightly charged and required the said Governor and Council not to permit any Tobaccos or Cedar to be transported out of the said Islands in other than the Company's Ships, or such as should have their licence for so doing. Notwithstanding which many of the said commodities which are usually sent to the said Islands in the Company's ships for the supply of the Inhabitants of the said Islands by other strange Ships. And the Tobacco and Cedar of the growth of the place have been thence exported in such strange Ships to the great damage of the Trading merchants hereby forestalling their markets both in the Islands and at London, to the defrauding of the King of his Customs, the Company of their duties, and to the discouragement of the Masters of the Company's Magazine Ships; for prevention whereof, Be it enacted, that if any such Goods or Commodities as have been and are sent in the Company's Magazine Ships for supply of the Inhabitants of the said Islands from and after Three Months time after Proclamation made hereof shall at any time be carried into the said Islands in any Ship or vessel other than such ships as have Commissions from this Company and shall be there unladen with intent to expose the same to sale. That all such goods or Commodities shall be forfeited to the Company and shall be seized and secured by the Sheriff of the said Islands for the time being, and upon sufficient proof made upon oath of witnesses or confession of the party to be taken before the Governor and Council of the Islands. That such goods and commodities have been so imported and judgment thereupon given by the said Governor and

Council. That the said Goods or Commodities are so forfeited then such goods or commodities shall be disposed of by sale or otherwise for the Benefit of the Company by order from the said Governor and Council, one third part of the proceeds of which said goods or commodities to be allowed to the said Sheriff for his better encouragement in the said service provided, that this act or any thing therein contained shall not extend to prohibit the importing into the said Islands of any kind of victualling or any commodity whatsoever that are of the growth of England, Jamaica or of the Islands of Barbadoes or any other the Carribee Islands. Provided also that this Act shall continue and be in force for two years next ensueing proclamation to be made thereof in the said Islands and no longer. And be it further enacted that if any Tobacco of the growth of the said Islands shall be laden aboard any Ship or vessel other than the Company's Ships, or if any Cedar shall be laden aboard any Ship or vessel other than the Company's Ships, or if any Cedar shall be laden aboard any Ship or vessel whatsover not having Licence from the Company for transport thereof: all such Tobacco and Cedar shall be forfeited to the use of the Company and seized by the Sheriff of the said Islands for the time being to be by him disposed of by sale or otherwise according to such instructions as he shall receive from the Company from time to time in that behalf. And the Governor and Council in the said Islands are required immediately upon receipt of this law to cause the same to be proclaimed in all places usual throughout the Somer Islands, to end all persons concerned may have notice.

THOMAS MARTEN Secraty &c.

50. At a Councell Table 10th August 1671.

. . . .

(1) Then Ordered, That Sambo the Negroe-man of Mr William Basden of Warwick Tribe: ffor his stubborn Cariage in Warwick Tribe Church Yard towards Capt John Darrell, Counsellor of that Tribe, And for his drawing his knife, and frighting the Wife of Capt Darrell, bee for the aforesaid and other outragious Carriages, carryed to the Galloes, and there stand thereunto tied, some short tyme, and there Whipped with Eleven stripes upon the naked back: Which aforesaid punishment was inflicted upon the said Sambo the 12th daie of August 1671.

(2) Whereas Capt John Warwick Comandr of the Prince ffrigott hath lately arrived by the order of Mr Edmond Custis of London Mercht and Partners, with Comission from his Royall Highness the Duke of Yorke, Lord High Admirall of all his Maities Dominions in the West Indies, and more particularly in

CHAP. XV. 1669–1681.

Bermudas, ffor recovering of Shipps, Vessells, Treasures, Gunns, Goods & Merchandizes as have bin or shall be sunk, lost or cast away at, upon or neare the said Islands of Bermudas : fforasmuch as the Governo^r & Councell are required by their Oaths to the Hono^ble Company of Adventurers for the Somer Islands at Bermudas to save and Secure all the said Companys Rights, Royalties, Privilidges and all other Interests wherein they are concerned, By vertue of the Lett^rs Patents of his Ma^tie Kinge James of blessed memory, Dated at Westminster the 23^rd daie of Maie, in the Seventeenth yeare of his said Ma^ties reigne. Have thought it our Dutie to acquaint the aforesaid Capt John Warwicke, before hee proceedes on this his undertakeing in Wreck-fishing, with the Demands & reservations of the said Hono^ble Company mentioned in their 133 Paragraphe in their printed Booke of Lawes. Leaving the said Capt John Warwicke to his libertye in recoveringe as aforesaid, Expecting his compliance with the Hono^ble Companies said Order, here, or in England.

51. A Proclamation for a Publicke ffast to be held on Wednesday the 5th of June 1671. By Sir John Heydon Knight & Governour.

Whereas the Grand Inquest at the late Assizes haveing seriously considered the manie Sinnes Reigneing in these Islands, such as Sabbath breaking, heresies, seditions neglect & contempt of the sacred ordinances, uncleanness, drunkenness, Witchcraft, malise, false dealing, idlenes, theft, trespasses, hatred of learning both divine & humane, rude education of children. ffearing the present Judgments impending thereuppon, through blasting & unseasonable wether, the unwonted swarmes of wormes destroying Corne & other plants, threatninge ffamine & other calamities. Well knowing the best and usual meanes of Gods children, for the preventing & removing such sad visitations to be ffasting and Praier through the Intercession of Jesus Christ. Haveing made knowne their pious cares & desires to myselfe & Councell for a Geñall and publicke day of Humiliation to be sett apart for those religious purposes. And that the few Ministers wee have, may be desired to bestow their labours in such Churches as may be thought most convenient. It is hereby Ordered and appointed with advice of the Council, That Wednesday the 5th of June bee Sett apart a Daie for seeking of God by ffasting & praier. And for Churches for the severall Tribes be, Devenshire Tribe Church, Southamton & the Towne Church. All Ministers & People, as well strangers as Inhabitants are hereby required to observe the same, except such as attend the severall fforts and Castles for defence, and such as through age or weakness or other necessary occasions about Children or Cattle, cannot come, forbearing their ordinary Labours, and goeing to sea upon fishing or visitts. But wholy applying themselves to the worke of the daie, joyning in Devotion and due attention, Not departing before the Ministers Blessing. Knowing that God will not be Mockt, But will be Avenged upon hypocriticall ffasts, whereas unfaighned teares with amendment of life are ordinary forerunners of Gods Mercies upon our persons and imployments, as Holy Writt doth declare. Therefore all Church Wardens, Constables & other Officers are hereby streightly Charged & required to give accompt to the severall Counsellors with their Tribes of all such persons as shall be anywise remiss or negligent in the observation hereof. Given under my hand at St Georges the 16th daie of Maie An° Dom: 1671.

JOHN HEYDON.

. . . . . .

52. The orders and directions of the Company, given in several recent letters, were promulgated according to custom. The following parochial replies furnish remarkable evidence of the feebleness of their authority, and of the independent spirit which a lapse of fifty-five years had sufficed to produce in their former tenants and servants.

At a Councell Table 4th Decr 1671.

(1) The Answere of ye Inhabitants of Southampton Tribe, to severall Orders of the Company, sent to them by ye Honoble Sir John Heydon Kt & Governor.

1 To the order concerning ye Turtola Negroes, they know of none, nor what was paid for them, nor in whose hands they bee.

2ly To ye Order concerning putting forth of Children of meane parents, The Tribe will take care Concerning them, according to the Lawe in such cases pvided.

3ly As to the order concerning ye Inhabitants that are owners of land, and all others that have goods & Chattels to the value of Twentie pounds Sterl, doe provide and mainetaine their owne armes. The answer of ye Tribe is, That if the Honoble Company will release them of paying any Duties, then they will finde themselves Armes & ministers & all other things necessary.

4ly And to the Order concerning the owners of Boates, giving bond for their Boate. The answer is they will give none. Dated the 20th day of December in the yeare 1671.

HENRY DURHAM.

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(2) The answer of the Inhabitants of Warwick Tribe, to yᵉ severall orders of yᵉ Honoᵇˡᵉ Company.

1ˡʸ As to putting in Bonds for their Boates, Doe utterly denie to submitt to this order in giving in Bond, unlesse it be imposed upon them by an Act of Assembly.

2ˡʸ The answere of all freeholders and persons of State, Judged to be worth £20 Sterl, is, that when any such law or order is imposed on them by an Act of Assembly, or that the Honoᵇˡᵉ part of yᵉ Company will be pleased to take off yᵉ pennie per ℔ dutie from our Tobacco, then wee shall bee free to finde ourselves Armes.

3ˡʸ Diligent inquirie has bin made for Turtola Nigroes, And yᵉ answer of the Tribe is, that they know of no Nigroes brought from Turtola.

4ˡʸ To the fourth: Answer is made by the Counsellor & Churchwardens to yᵉ putting fourth of Children of meane parents, that soe soone as they shall finde any Children that their parence are not able to mainetaine, they will see them put out According to yᵉ Statute in that case provided. Dated the 18ᵗʰ daie of December 1671.

John Wainwrighte Councellor

(3) The answer of Devon Tribe.

Sir, According to yᵉ Honoᵇˡᵉ Companys Warrant, And your Honors Order, I have sum̄oned our Tribe, and the result of their Answere is as followeth.

1ˢᵗ As to the Honoᵇˡᵉ Companies Lawe requiring us to finde ourselves armes, wee are very ffree, provided they will take off the pence wee paie them out of our Com̄oditie. And we are not ffree to have any muster Master, but desire in that perticular to be left to our Comandʳ.

2ˡʸ As to yᵉ giving in Bonds for our Boates, wee Judge ourselves free born subiects. And if wee offend his Maiesties Lawes in that perticular, let the goods be seized according to Lawe.

3ˡʸ As to Turtola Negroes, Their is none in our Tribe will owne they have any.

4ˡʸ As to that good Lawe of putting forth of Children of meane parents, Our Church Officers with what convenient speed that may be, will act according to his Maiesties Lawes provided.

This is the result of our whole parish as witnesse my hand the 19ᵗ daie of December 1671.

Jonathan Turner Councellor.

(4) The Answer of Pembrocke Tribes.

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To the Right Honoble Sir John Heydon K^t^ and Governor.

Sir, According to y^r^ Hono^rs^ Order I have sum̄oned y^e^ Inhabitants of Pembrocke Tribe together, & did reade your Honours Warrant unto them, concerning y^e^ Hono^ble^ Companies orders wch they have sent in their Gen̄rall Letter. And this is the result of y^e^ Inhabitants of the said Tribe as followeth.

1 Whereas the Hono^ble^ Company does thinke fitt & order that all freeholders & all that are worth in goods & Chattells £20 Sterl, should finde themselves and maintaine them, To this wee answere, wee being freeholders some of us, & y^e^ rest that are worth £20, are willing to finde ourselves Armes, provided the Hono^ble^ Company will take off those taxes and impositions wch they have laide upon us, wch is to say, ffirst the pennie wch wee paie to them for every pound of Tobaccoe wee transport to y^e^ port of London, 2 To take off the Levie wch wee paie yearely wch is a great agreevance.

2^ly^ As to a Muster Master to be chosen, our answere to it is this, wee doe not conceive that there is any need of any, ffor y^e^ Captaines wch y^e^ Hono^ble^ Company have sett over us, are able to doe y^e^ worke wch a Muster master is to doe. And if there be any fault in y^e^ souldiers, That they doe not keep their Armes in repaire, they are as able to make them suffer as Muster Masters is, & wee doe conceive it will save many pounds of Tobacco in y^e^ yeare.

3^ly^ Whereas the Hono^ble^ Company does desire all Owners of Boates that they shall give in Bonds to the Government here, That their Boates shall not carry any Cedar, nor Tobacco to any Shipp but only y^e^ Magazeene Shipp. To this wee answere, That wee are free born subiects & sume of us freeholders, And wee do not know any Law of his Maiesties, that does bind up any Subiect in any such bond, that a free subiect shall not make use of y^e^ growth of their owne land.

4^ly^ As to the Hono^ble^ Companyes Law of putting forth y^e^ children of meane parents. To this wee answere, That y^e^ law is good, And wee shall put it effectually in execution, and to that end I have given your Honours Warrant to y^e^ Church-Wardens, And have given them a strickt charge to goe through the parish, and bring me word what children they can finde to be put out.

5^ly^ Whereas y^r^ Hono^ble^ Company does desire an accompt of y^e^ Tortola Negroes, To this I answere, that I have made enquirie in all the parrish of most of y^e^ Inhabitants, and I can heare of none in y^e^ Tribe.

This is y^e^ result of the whole Tribe as witnesse my hand.

Thomas Wood Councellor.

December y^e^ 18^th^ 1671.

(5) The Answer of Smiths Tribe the 20th December 1671.

Hono^ble^ Governo^r^.

According to your Honours Order, I have sum̄oned the freeholders with y^e^ owners of Boates, and all that are esteamed to be worth Twentie Pound sterl. And have returned their Answeres to the Companyes orders as followeth.

ffirst, To finde themselves armes, they doe utterly denie and say that if they had theire freedome to dispose of their Tobacco as they in other places have, Then they would gladly finde their owne armes. But in regard y^e^ Company hath one penny out of every pound of Tobacco, upon the very Accompt to defray all publicke Charges in this Island, which sume doth Amount to severall Hundreds of Pounds more than the charge of the Islands is, & upon this Consideration they doe all flatlie Denye to finde their owne armes.

2^ly^ To give Bonds for theire Boates they doe all refuse any such thing, ffor they say there never was any such president. Neither law for any such practice, & for their parts they will not show such ill example to their Children that shall survive them.

3^ly^ As for those that are suspected to have Turtola Negroes doe say that their Negroes are their owne, they have bought and paide for them, and will not give any Accompt how they came by them. Neither what they gave for them, and doe further say that if any one hath better right to them then themselves, lett them recover them by a due tryall att Law, & to that they will submitt, y^e^ law being y^e^ Birthright of every subiect.

4^ly^ As to Children of pore parence, myselfe with y^e^ Church wardens will take all the diligent care that possible may be to dispose of such Children when wee have them, as y^e^ law doth provide in that perticular.

Capt John Somersalls answere in relation to those two orders Armes & Boates: Is that if y^e^ Hono^ble^ Companye will demande noe more of mee, neither out of my estate, then what his Maiestie doth allow them in his gracious Letters Patten, hee will bee content And knowes it is his Dutie to obaye all y^e^ Hono^ble^ Companies Lawfull Lawes & Orders.

Taken by me William Peniston Councellor of Smiths Tribe.

(6) The Answer of Sandys Tribe.

To Sir John Heydon K^{t} & Governor of the Sommer Islands.

Wee the Inhabitants having considered your Honours Warrants to us directed and published in Sandis Tribe doe make this returne.

1 ffor putting in Securitie for our Boates, wee cannot, nor will not.

2^{ly} ffor Tortola Negroes, wee know not any in y^{e} whole Tribe.

3^{ly} ffor putting out of Children, Wee shall carefully effect it

4^{ly} ffor finding our owne Armes: Wee shall, provided y^{e} Hono^{ble} Companie will take of their Imposition on Tobacco, and then pay our Ministers beside without troubling them.

In the name of y^{e} whole Tribe, with their Unanimous Consent, Signed by Thomas Leycrayft.

(7) The Answer of Pagets Tribe.

The Inhabitants of Pagets Tribe doe denie to enter into Bonds, According unto y^{e} Hono^{ble} Companies Order, of Twenty pounds Sterl, that noe man that is y^{e} owner of a Boate shall carry any prohibited Goods aboard any Shipp or Shipps, because the owner of y^{e} Boate may lend his Boate to his Neybour or freinde, And y^{e} partie so borrowing may carry prohibited Goods & so the owner be lyable to y^{e} fforfeiture of his Bonds by vertue of that order, wch they conceive is against y^{e} Lybertie of y^{e} subiects and therefore they cannot agree unto it, whilest *not* confirmed by Act of Assembly in these Islands.

The reason given in Pagetts Tribe against y^{e} Countrie findeing themselves with Armes is as followeth. That if y^{e} Hono^{ble} Company will remitt the Charge of one penie p^{r} pound upon their Tobaccoes, then they are willing to Complie with their Order, otherwise not, untill Confirmed by Act of Assembly in y^{e} Islands.

They doe unanimously Consent that poor people that have Children, and cannot finde them lawfull Imploy shall have them put out as Apprentices to be well educated & brought upp untill y^{e} age of Twenty one yeares, according unto his Maiesties Lawes in yt Cause provided.

They doe declare there is not any of them that have Any Negroes belonging unto any man in y^{e} Island of Tortola to their knowledge.

This was unanimously agreed unto by the Inhabitants of Pagetts Tribe, as Testis John Rawlings Senio^{r}.

CHAP. XV.

1669–1681.

(8) The Answer of Hamilton Tribe.

To yᵉ Honoᵇˡᵉ Sir John Heydon Kᵗ & Governor.

Honoured Sir

Whereas severall orders, Lawes, & Iniunctions sent from yᵉ Honoᵇˡᵉ Companie in England, have by your Honours Comand bin published amoungst us & Warrants Issued forth for yᵉ due observation of them & every of them, & myselfe with yᵉ rest of yᵉ Councellors of yᵉ respective Tribes, required to make returne of yᵉ said Warrants under our severall hands at yᵉ next Councell Table. In order whereunto our Inhabitants of Hamilton Tribe, have bin by me Summoned, and have mett accordingly, upon enquirie made & debate had Concerning the premises. They have hereby made perticular Answer to the said Warrants as ffoloweth: wch they well hope by your Honours be Cordially resented.

And ffirst. To yt: wch Conserns yᵉ Tortola Negroes wherein yᵉ Honoᵇˡᵉ Companie seemeth to bee dissatisfied & Requireth a more full & Compleat Accompt, I have for my owne part mad a strict Inquierie amoungst our Inhabitants. That are possessed of any Negroes, And their Answere is that to their knowledge they are not possessed of any such, nor of any other Negroe or Negroes, but such as they have lawfully purchased, and really bought and paid for, & that if any hearetofore hath had any such Negroes, they are dead for ought they know, & they can render to your Honoʳ no further Accompt of them.

2ˡʸ To that wch Inioynes yᵉ owners of Boates to give in £20 Bond that their Boate or Boates shall not carry on board any Shipp or Shipps not sent by the Honoᵇˡᵉ Company: any Servants, Debtors or prohibited goods, as specified more at large in the said Warrant, thereto they answer Negatively: As not apprehending the equity of such a Law, that inflicts so many penalties for such a Transgression, as yᵉ fforfeiture of £20 Bond, yᵉ losse of yᵉ Boate, & all such goods carried in them, & ffurthermore wch will follow thereupon, be made lyable to pay such Damage as any such Master or Credditor shall sustaine thereby: all wch penalties or most of them, may happen to be inflicted on any owner of Boate or Boates by letting or lending them to others, although they for their owne parts be neither Agent nor Accessary to any such errowe.

3ˡʸ To that wherein The Honoᵇˡᵉ Company doe think ffitt & therefore doe order, as agreeable to reason & Custome. That all the Inhabitants in these Islands having goods & Chattles to yᵉ value of £20 Sterl doe finde & mainetaine their owne Armes. They answer thereunto, that if yᵉ said Honoᵇˡᵉ Company shall likewise be pleased wholy to remit ye Generall Levie wch is yearly exacted from them, wch they for their parts doe humbly conceive is as Just & reasonable, They shall willingly comply with their Honours therein, But for your Honour to appoint a Muster Master, to view all Armes, to punish defaulters, and to have for his service & paynes one pound of Tobacco per head yearly, of all persons finding & mainetayning their owne Armes, they answ: That under correction, they conceive it needlesse, for yt it is not to be Doubted, That they that are at the charge to finde and provide themselves with good Armes, will likewise be as carefull to keep them fixt & serviceable, but if in case any shall be deficient therein, the Captaines of the severall bands can, and no doubt will as well for the future as formerly, Take a view of all Armes by their Officers at their severall Musters and themselves Inflict punishment where they shall finde good cause to doe itt.

4ly To that wch Concernes ye putting forth of ye Children of meane parents. They Answer that as farr forth as ye execution thereof is, or shall be found Consonant to ye Lawes of our Nation & Conducing to ye good of ye Inhabitants heare. They doe well approve thereof as a good and wholesome Law, & in order thereunto inquierye hath bin made by myselfe & ye Church Officers of our Tribe, but att present wee finde not any Children amongst us, To be soe disposed of, as is further testified under their severall hands, at ye foot of your honors Warrant to us directed for that purpose.

per me John Hubbard.

53. The joint stock company for whale-fishing was, as we have already seen, a separate concern, in which the Bermuda Company as such had no interest, although nearly all its members were personally mixed up in it. The following letter, dated 14 Febr. 167$\frac{0}{1}$, occurs among loose papers:—

(1) Gentlemen

Praie to take notice that a Generall Board for the whale fishing in the Somer Islands *als* Bermuda held at Armorers Hall Coleman street London in the 6th day of October last 1670, the grantees of the whale Fishing did then and there meet, and did order that euery person above named should paie or cause to be paid his p.portion of money assessed as above said vnto Sir John Heydon knight & Gouernor in the Somers Islands, or to one deputed by him, within the space of 14 daies next after the arrival of the ship Marygold in the Somers Islands Capt Samuel

Pensax Comand. whereof Publication is to be made immediately after the arriual of the said Ship. Or to giue security for the due paȳent of the said respective sumes of monie And whoever that is named above said who doth not paie his money, or not cause it to be paid or not give security for the payment of it within the time aforesaid prefixed shall be for euer shut out of haueing any benifit or interest in the said aduenture of whale fishing. But whoever named above said doth paie or cause to be paid, or giueth security for his respective sume abovesaid assessed within the time aforesaid prefixed shall be admitted ffree into the copartnership againe, as well as any other person or psons that before hath or haue paid in their money The Grantees have met again the 7 daie of Novemb. 1670 and by the authority of a full Board doth signifie thus much unto you and haue vnderneath subscribed their names And it is desired by them that the Gou^{r}nor Sir John Haydon do give order to the Secretary in Somer Islands that he giue notice to all the psons aboue named of what is herein declared as soon as the ship Marygold doth arriue in the Somer Islands and so we subscribe ourselves

Your very louing friends

Nathaniel Smith	Charles Pym
Robert Stevens	Perient Trott
John Wyse	Nathan Letten
Samuell Smith	George Day

ffebuarie the 14th 167$\frac{0}{1}$.

(2) Proposalls from M^{r} Samuell Trott to the Honor^{ble} S^{r} John Heydon kn^{t} & Gouernor and the rest of the Proprietors for the disigne of Whale fishing in the Somer Islands *Impis* That Samuell Trott shall catch, manage, kill & manure all the Whales recovered this next season of whale fishing. The company finding all materialls for the accomplishment of the said design (except victualls, wages, & Liquors.)

2^{ly} That M^{r} Samuell Trott in consideracon of his extraordinary charge and expense may have halfe of the carkase oyle that is made, which vseth to be the companys part.

3^{ly} That by or before the last daie of maie yearly soe long as M^{r} Samuell Trott shalbe entertained or imployed on this designe aforesaid That all the oyle or Whale bone shall be equally devided in the Islands abovesaid: One halfe to the hono$^{bl}{}_{e}$ companye, the other halfe to M^{r} Samuel Trott or his order to transport or dispose of in any part of His Ma^{ties} Dominions where he pleaseth (except the carkas oyle before expressed being wholly by Agreement M^{r} Samuell Trotts.)

4^{ly} That Samuell Trott should finde caske for his moety or halfe part of oyle made & recouered.

5^{thly} That whatsoever Boats, warps, Harping Irons, Lances and other vntensills, fit for the killing and cutting vp of the Whales, that shalbe taken or killed this Season, that shalbe lost spoyled or destroyed, that one halfe of the charge or value be paid and made good by M^{r} Samuell Trott

Samuell Trott.

Teste Henry Tucker Secretarie.

(3) Such persons as have Assented and subscribed to the proposall of M^{r} Samuell Trott for the carrying on of the Designe of Whale fishing for this p^{r}sent season, haue made choyce of M^{r} William Peaslie as Husband in behalfe of the Borde and M^{r} Wentworth Husband in behalfe of M^{r} Samuell Trott These are therefore to authorize you M^{r} William Peaslie, and M^{r} Hugh Wentworth, husbands, to vse your best industry and ingenuity in the management & carrying on the Designe of Whale fishinge for this p^{r}sent Season for the best advantage of the Borde & M^{r} Samuell Trott. Given under our hands this 14 daie of Ffebruarie 1670-1. Jn^{o} Heydon.

Henry Tucker *Secr.*

Richard Jenayns John Darrell *Sen^{r}*
The R1 marke of W^{m} Righton *Sen^{r}*
Robert Dickeson Will Righton *Jun^{r}.*

(4) By the consent of S^{r} John Heydon and the rest of the subscribers and M^{r} John Bristowe Jun^{r} are chosen harpaneeres for this present season for *whom it is ordered that the* fourth shallop be repaired and fitted and John Jones of S^{t} Georges be employed *therevpon, according* to a former agreement with M^{r} Richard Stafford when Husband.

Gentlemen aduenturers in the whale fishing, present in the Governm^{t} Hall *at S^{t} Georges* then giuing their votes concerning Propositions herevnto annexed exhibited *and declared* and in behalfe of the Generall Adventurers Resident both in England and in Somers Islands.

Sir John Heydon and seven more, Assenting
Capt^{n} Thomas Richards M^{r} Arthur Jones Dissenting.

[Then follows a bond, dated 14 Feb. 167$\frac{0}{1}$, from Samuell Trott and two sureties, for the faithful performance of his contract, and another bond from Sir John Heydon and John Darrell senior for the faithful performance of theirs. The rest of the fragment contains copies of orders dated 7 Nov. 1671, 11 Feb. 167$\frac{1}{2}$, and 31 July 1672, from the Grantees of the whale-fishing in London, for the delivery of their half of the proceeds of the whale-fishery, oil, whalebone, &c. to Captain Thomas Richards, to be by him shipped to the Port of London, and authorising him to sue any person who might refuse to deliver it.]

54. At a General Court for the Som̄er Islands Company held at the accustomed place in Queen Street London on Tuesday the 19th September 1671.

(1) Whereas information hath been given to this Court of the great prejudice wrought to this Company and the Plantation of the Som̄er Islands by the felling of young Cedar trees, of 6: or 8: Inches over which were used for some hundred of Boxes for the packing of oranges which were lately transported in strange Ships, and for the use of strangers (vizt) in the ship Orange Tree whereof Thomas Shaw was Master, in the Accaine Merchant, whereof Capt Nicholas Pepperell was Commander and in the Port Royal whereof Capt John Webber was Commander, for prevention whereof this Court do think fit and order that if any person or persons shall from and after the publication hereof fell or cut down any Cedar, tree or trees, standing, growing, or being on the said Islands under the proportion of 8 inches in thickness (unless the Governor and Council in the said Islands upon very good and necessary cause to them shown shall think fit to the contrary) shall forfeit to the use of the Company the sum of forty shillings for every tree so felled, or cut down, to be levied by the Sheriff of the said Islands by distress and sale of the goods and chattels of the party so offending, and if any person or persons shall from and after the publication hereof ship or consign any boxes, chests, or casks of Cedar, to any person whatsoever not being a member of the said Company every such person or persons shall forfeit all such boxes, chests, or casks of Cedar and double the value thereof, to be levied in like manner by the Sheriff of the said Islands by the distress and sale of the goods and chattels of the party so offending. And if any member of the Company here shall be found colouring of any such boxes, chests or casks of cedar, for any stranger, or person not free of the Company, every such member to be liable to such fine as the Company here shall think fit to impose for the same. And whereas by the ill building of Tobacco houses ranging straight 80 or 100 foot in length such houses are therefore more subject to be overthrown by winds and Tempests

to the wasting of the Timber of the said Islands by the repair thereof. This Court do further think fit and order. That from and after the publication hereof all Tobacco houses to be thenceforth erected in the Som̄er Islands, be built with corners or points crosswise the better to strengthen, and defend the same against winds and tempests. And that the Governor and Council in the said Islands, do recommend the same to the next general Assembly, who are to consider of the convenience or inconvenience thereof and render an account to the Company of their pleadings thereupon by the first opportunity.

And for preserving of poles which are used in the making of Tobacco which (as information is given) for want of pilling, and the bark taken off, become subject to decay in a short time. It is further ordered. That if any person or persons in the said Islands shall make use of any poles for the curing of their Tobaccos but what shall be pilled and made fit and serviceable as aforesaid, and shall be otherwise found by the Constable or officer of any of the Tribes in the said Islands, every such officer shall forfeit the sum of Twenty shillings for every such offence to be levied by the Sheriff of the said Islands by distress and sale of the goods and chattels of the party so offending. And the Governor and Council in the said Islands are upon receipt of this order to cause the same to be publicly proclaimed in the said Islands to the end all persons concerned may take notice thereof.

Thos Marten, Secrary to the said Company.

(2) At the same Court licence was granted to Sir Gilbert Gerard to import three tons of cedar wood, and to Mr William Webb to import five tons, by the ship 'Marigold' on her return.

55. Extracts from a General Letter to Sir John Heydon dated London 20th September 1671.

(1) Whereas you write you have observed our Order of the 21st February 166$\frac{9}{0}$ touching Shipmasters giving Bond as by the said Order is appointed, as far as in reason and conscience you can. We must tell you, that we judge that expression of yours very wrong and improper as if you thereby charged us with sending unto you unconscionable and unreasonable commands. And we shall take into our consideration to prevent the like expressions in future. And we do strictly require you to put the Order in execution, and to have care, no such imperfect bonds be in that behalf taken, as were the late Bonds entered

into Thos: Shaw, Capt Nicholas Pepperell, and Capt John Webber, copies whereof have been transmitted unto us. And that for the future when any Bonds are to be taken as in the said Order is directed, that the Originals and not the Copies, be forthwith sent over unto us; the same being first registered in the Secretary's office with you, and that the witnesses to such Bonds do before the Governor or any of the Council formally make oath of the sealing and delivery of such bonds, and that their depositions be drawn up in writing and attested under the public Seal of the Islands. And we do in like manner require the same course be observed by you in sending to us all original bonds heretofore taken in the case aforesaid.

(2) As to our Order of the 19th October last limiting the proportion of Chests to be shipped aboard the Magazine Ships that they exceed not 1000 weight we give you to understand that the same hath been observed in the main, but not wholly. And we do require you the Governor and Council to take care that the said Order be punctually observed for the future.

(3) We are not satisfied with what is written by you the Governor and Council touching the Tobacco transported in Bredcakes Ship, it plainly appearing by oath and otherwise that there were at least 10000 of Tobacco transported. And we therefore require you the Governor and Council to render unto us a fuller account of the quantities of the Tobacco's transported as aforesaid, and that you return the same by this ship. And touching the information making relation thereof we refer you to what is contained in the large Commission sent over the last shipping to seize Mr Trotts goods and lands in the Islands.

(4) We have compared the benefit that may arise by making of Sugar with that of planting Tobacco, and what duties may be levied on either Commodity and finding that of sugar in no proportion to answer that of planting Tobacco. We do not think fit to give any encouragement to the planting of Sugar Canes, as being and may like to prove very prejudicial to the welfare of the Company and Islands.

(5) The Laws and Orders herewith sent you we require to be Proclaimed and strictly observed viz: A Law making forfeit all such goods and Commodities that are usually imported into the Som̄er Islands in the Company's Ships, in case the same be imported thither in any other Ships: also for the seizure of Tobacco and Cedar sent aboard Ships to be transported without licence. A Law for preventing the making up of evil and unmerchandizable Tobacco. An Order against felling young Cedars and for preserving of the Timber of the Somer Islands.

(6) We have chosen and appointed Officers for the Somer Islands as followeth

For Governor and Captain General, We have continued Sir John Heydon Knight, for and during the Company's pleasure. For Sheriff we have continued Jennor.

For Secretary, We have chosen Cornelius White to whom we have sent our Commission.

(Signed) ASHLEY, Gouerno^r.

56. Memorandum Januarie the 3^rd daie 167½.

That y^e daie & yeare above written Roger Axson y^e Sonne of Jacob Axson (Deceased) being about Twelve yeares of age, hath before Sir John Heydon K^t & Governor, chosen Lieft: Edward Chaplin to be his Guardian. [This choice the boy renewed in September following.]

57. At a Councell Table 1^st ffebruarie 167½.

Upon a Complaint exhibited by M^r Anthony Jenour Sheriffe, That Mary Rivers y^e wife of Miles Rivers did Abuse him with her tongue in y^e execution of his office. Requiring a fine alloted to be paid by y^e Governo^r & Councell, for the Sin of ffornication committed before marriage. Ordered that Miles Rivers y^e Husband of y^e aforesaid Mary Rivers his wife, either pay for y^e Charge of y^e Duckingstoole, or else his wife be Ducked when the stoole is erected, and y^e stoole to be erected at such convenient place as y^e Councellor of Sandis Tribe sees fitt, & the time for its erecting shall be by y^e 25^th of March next ensuing. Thomas Lecrayft dissenting, desired so to be recorded.

58. At the Assizes 27^th May 1672.

(1) Upon a question propounded whether M^r William Milburne may goe on as he doth in reading and explaining y^e word of God. The Secretaries Judgement is, that he may goe on as he doth, seing y^e Company doth tollerate y^e like practise upon Record: in y^e want of Ministers, when they first appointed readers in these Islands (with him 5 members). Y^e Governo^r That if he would read y^e Scriptures & pray & reade other mens werkes, he might be continued Reader, otherwise to be dismissed & another able man chosen, to officiate as reader (with him 6 members).

. . . .

(2) Memorandum. That M^r William Righton & M^r Richard Stafford have agreed by Consent to putt in their agreements

Concerning y^e^ causes of difference depending betweene them, in writing Sealed up, in y^e^ office, and that upon y^e^ first day in July next they shall breake them open & in case they doe not Conclude & fully end y^e^ matter of Controversy then they shall be burned and never come in Barr.

. . . .

(3) Upon the Grand Inquests presentment of Thomas Caresie of Southamton Tribe ffor letting a house to a ffree Negroe woman, Called or knowne by y^e^ name of Ann force, ordered that y^e^ aforesaid Ann force fforthwith putt her selfe an Apprentice to some one man or other by y^e^ 15th day of this Instant June, or else to depart y^e^ Island. And in case y^e^ said Thomas Caresie shall entertaine the aforesaid Ann force, After the aforementioned time upon any other Conditions then aforesaid, y^e^ aforesaid Caresie shall pay forty shillings.

(4) Upon y^e^ presentment of A Negroe woman called Black Cate. Ordered that the aforesaid Negroe doe forthwith put herselfe Apprentice to some one man or other, or else depart y^e^ Island. Ordered that free Negroes becom forthwith Apprentices, or depart the Island.

59. At a Court Marshall held at Capt Philip Leas House in Pagets Tribe, Sir John Heydon K^t^ & Governo^r^ & Capt Generall, M^r^ Anthony Jenour Sherrife, Capt Godheard Asser, Capt Charles Whetenhall, Capt Richard Wolrich & y^e^ severall Captaines & Lieftenants & Ensignes of y^e^ Trained Bands of these Islands then & there present, Except Ensigne Sherlocke, Held the 12th day of June 1672.[1]

(1) Capt John Hubbard, Capt George Hubbard, Capt ffrancis Tucker, M^r^ Richard Stafford, Lieft William Peniston, Capt Phillip Lea Chosen to view the Castle & fforts, As also to Judge whether y^e^ great Gunn that lies at Coopers Island be fitter to lye where it doth, or else removed to another place where it may be more convenient, and to make their Report unto y^e^ Governo^r^ & Councell.

The aforementioned persons to meet on Munday next at Capt John Hubbards house by seven a Clock in y^e^ morning, ffor y^e^ affecting the Aforementioned worke.

(2) Capt John Rawlings, Lieft Edward Chaplin, Capt Christopher Burrowes, Lieft William Burch, Lieft John Rivers, Ensigne Englesbee chosen to view, where y^e^ most daingerous places are & to order brest works, According to their discretion

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[1] War with Holland was declared March 17, 1672, and lasted to Feb. 1674.

and is left to their Discretion, if their be any great Gunn, near Capt Hunts, that may be recovered & is serviceable, where to place it, And are ordered to meet upon y^e^ same account a Thursday next come sennet by eight a clock in y^e^ morning at Capt Hunts house : And to make there report to y^e^ Governor & Councell. The Information of Lieft John Rivers to y^e^ Councell of Warr. That upon y^e^ comeing of Dickinsons Vessell to Roade before his door : there was three Guns fired in y^e^ night Season, & he went over upon the sound thereof, to raise an Allarme: But when he came over to y^e^ Shoare, hee could finde noe powder : As also doth Informe, there was a Barrell of Powder, & but one exercise with it, yet is all gone. Upon which Information Ordered that Capt Dickinson appeare at next Councell Table to give Accompt what is become of it In case he cannot give satisfaction to y^e^ Sheriffe in his passing through y^e^ Islands.

Other Orders & Conclusions at y^e^ same Councell of Warr are contained in y^e^ ffollowing Proclamation.

(3) A Proclamation Issued forth by Sir John Heydon K^t^ & Governor & Captaine Generall of these Islands.

To prevent all disorders that may happen upon any sodaine Allarme, either by forreigne fforces, or Intestine Mutanies. These are in his Majesties Name to Charge and Comand all the Military Officers whatsoever of these Islands, That they observe & keepe all such orders as were Concluded and agreed upon at a Councell of Warr in Pagets Tribe, held at Capt Philip Leas house y^e^ 12^th^ day of June 1672, wch are as followeth.

1. That upon an Allarme y^e^ Respective Captaines of each Company doe make Choise of 16 or 20 men that are unarmed to send them to y^e^ Towne for y^e^ defence thereof. And upon y^e^ approaching of an enimie, for y^e^ assaulting of these Islands, one Company doe retire to y^e^ other for their better aid and assistance.

2. It is unanimously Concluded that whereever an enimie approaches to land, that y^e^ Company of that division, shall oppose them by force of Armes to the uttermost of their powers, after what manner or forme y^e^ Comander doth think best, and when any aid shall come, that y^e^ Comander of such aid doe leade on & Comand their owne Companie till further order from their Generall.

3. It is further Agreed & Concluded upon, that noe boate or Boates shall goe out to any Ship or vessell upon any pretence whatsoever, But y^e^ Pilate only and his Gang. And whatsoever boate shall be at sea shall repaire to the Shoare & not stay out, nor goe aboard upon any pretence whatsoever.

4. It is further Concluded & Agreed upon whatsoever person hath any Armes or Amunition of his owne, & refuse to serve with them in person, That y^e^ Coñander of that Division shall seize and take away such Armes & Amunition from them soe refuseing, And Arme whom he pleaseth with them & force y^e^ person that was y^e^ owner of such Armes and Amunition to serve with y^e^ Companies insteed of their owne. Moreover it is Concluded that y^e^ powder & shott that shall be delivered to the Respective Companies, by their respective Coñanders, every soldier that shall be found wasting or Imbesseling y^e^ same shall bee Tryed by a Councell of Warr, as also every such soldier that hath bullets Delivered to him that are not equall with y^e^ bore of his Musquett or other armes whatsoever doe imediately after y^e^ Reception of such Bullets make them sutable & fitt for the use & service Aforementioned. Likewise it is Concluded that all defective Armes be forthwith amended. And that all persons that have horses doe traine them up to the sound of Drums & Guns & y^e^ sight of fireings, that soe they may be y^e^ more serviceable for y^e^ use of the Country in time of Danger. And that some Skillfull & knowne Riders be Constantly exerciseing them as opportunity shall present.

5. It is further Agreed & Concluded upon, that all Masters of families in these Islands shall upon Allarme, bring or send unto y^e^ respective Rendevous their Negroe men or boys that are 14 yeares of age & upwards, with what weapons they think meet, as Lances & axes or y^e^ like, then and there to waite y^e^ Comanders Order, and for such persons as refuse so to doe to forfeit five hundred pounde of good Tobaccoe to be paid towards y^e^ makeing & repairing of ffortifications, & to submitt to such further punishment as the Generall & his Councell of Officers shall think meet. And that all negroes shall yield obedience to their Respective Coñanders upon paine of Death.

6. It is further agreed & Concluded upon, that if any of y^e^ Captaines of these Islands shall Issue out any Warrants for y^e^ punishing of offenders: That if any officers under them shall refuse to execute any such Warrants, or any souldiers in assisting him that every officer so refusing shall forfeit five hundred pounds of Tobaccoe as aforesaid, or suffer 3 weekes imprisonment, And every souldier disobeying his Coñander, or any officer under him, shall forfeite and pay 300 lbs. of Tobaccoe as aforesaid or suffer 3 weekes imprisonment.

7. It is further ordered & agreed upon, that if any persons shall Combine & agree together to disobey their Coñanders, or to raise any Mutanies by word or Action, that all such soe offending shall be forthwith sent to the Goale

prisoners in order to be tryed by a Councell of Warr, or according to Marshall Law.

8. Every Comander that shall neglect the putting these aforementioned orders in execution shall be fined & pay to ye Capt Generall for publique uses Ten pounds sterl.

These are therefore in his Maties name strictly to charge & Comand all his Maities good and Loving Subiects to give all due & Reddy obedience unto their severall Comanders upon all occasions, upon paine of being punished according to ye Lawes and disciplin of Warr. Given under my hand at St. Georges ye 15th day of June 1672. Together with the publique Seale of these Islands hereunto affixed.

J. HEYDON.

60. At the Assizes 18th December 1672.

. . . .

(1) Upon examination of Elizabeth Clarke, whether ye said Clarke were a Roman Catholique, she owned that she was one when she came into ye Islands, but sence she had bin at Capt John Somersalls, being acquainted with ye Scriptures: wch had bin kept from her, now shee was of ye Church of England. Upon wch Confession it was Ordered that ye said Elizabeth Clarke might for a triall of ye truth of what she had Confessed, returne to ye place from whence she came provided that after ye expiration of three weekes from ye date hereof (being ye 18th December 1672) ye said Elizabeth Clarke doe take the oathes of Allegiance and Supremacie & goe to Church, wch aforesaid Oathes the two next Justices of ye peace are to Administer unto ye said Clarke, then upon her taking ye same, ye said Clarke is to continue in ye Islands, but upon Refusall of going to Church and taking ye oaths aforesaid, then to be sent to Barbadoes from whence she came.

. . . .

(2) Ordered by ye Governor and Maior part of ye Councell that whosoever shall bring in Mr Willm Carons Negroe of Southampton Tribe, named Black Jack, whether Englishman or Negroe, within fifteene days after the publication hereof, shall have Twenty shillings from Mr Caron for their bringing in the aforesaid Black Jack, either to ye Master of ye said Negroe, or to the Justice of ye place where he shall be taken, and in case the said Black Jack shall not come in of his owne accord, or be taken by ye aforesaid time, Then it shall be lawfull for any man to Shoot ye said Negroe; the Honoble Sir John Heydon Kt and Governor and Cornelius White Secretary Descenting from ye last clause of Shooting ye Negroe.

(3) Upon an Action of Eiectione depending between Mʳ William Righton Senʳ, Plt, and Mʳ Richard Stafford and Sarah his wife Defᵗˢ, yᵉ Plain: excepted against yᵉ whole Array of yᵉ Jury, because yᵉ Sherrife that had impanelled them, was in affinity with some of yᵉ Jury, to wch exception Mʳ Anthony Jenour Sherrife said, that by yᵉ booke of Orders no person was to impannell a Jury in yᵉ Sōmer Islands but yᵉ Sheriffe. Whereupon it was put to yᵉ Court, Whether yᵉ men Impaneled were a sufficient Jury to try the matter in hand. The result whereof by yᵉ Court was, that they were, and therefore to proceede. The Def: pleaded yᵉ Jurisdiction of yᵉ Court, and thereupon offered an Order from the Honoᵇˡᵉ Company dated yᵉ last of January 1667, wch said Order inioyneth executions to be granted yᵉ aforesaid Stafford Def: for two verdicts of 40ᵈ Sterl each verdict, unlesse the appellants suffer yᵉ said Stafford to enjoy yᵉ lands according to yᵉ Award and settlement in yᵉ aforesaid Order mentioned.

. . . .

(4) Upon yᵉ Grand Inquest presenting William White of Hamilton Tribe (Quaker) for his unseamly and uncivil taxing Mʳ Edwards Minister, to bee a hireling and a deceiver of yᵉ people: fined by yᵉ maior part of yᵉ Court to pay fforty shillings for his said offence.

61. Extract from a Letter from the Company dated 18 June 1672.

(1) Whereas by Order of A Generall Court holden for this Company yᵉ 14ᵗʰ of October 1670 for yᵉ severall reasons therein alledged, Mʳ Sampson Bond Minister in yᵉ Summer Islands was to be forthwith dismissed the said Summer Islands, and the Governor and Councell there to take care to see yᵉ same performed accordingly. And that upon yᵉ humble petition of the said Mʳ Bond presented to this Company 29ᵗʰ last, setting forthe the proceedings had against him the said Mʳ Bond in yᵉ Islands upon his dismission from thence in pursuance of the said Order, and craveing consideration of his case, and that his answer might bee received. And yᵉ Court understand how undeservedly he hath bin dismissed the said Islands. The said Petition was referred to yᵉ Consideracon of yᵉ Grand Committee to heare all persons and yᵉ said Complaint. And whereas many dayes had bin spent by yᵉ said Cōmitte in examination of yᵉ perticular charges contained in the said order of dismission together with yᵉ contents of yᵉ said peticon, and hearing yᵉ defences made by Mʳ Bond to yᵉ said charges. And that yᵉ said Committee had read unto them all such Informacons, Letters and proofes as

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have bin brought against Mr Bond to make good the said Charges. And haveing perused as well severall Certificates from severall perticular persons in the Islands, as also a Clause in ye request of ye Generall Assembly, subscribed by ye then Governor and Councell . . June 1669, on ye behalfe of ye said Mr Bond, and the character therein given of him, Attested by Anthony Jenour Clerke of ye Assembly, The said Committee were of opinion, That Mr Bond hath cleared himselfe, and ought to be discharged from all the Charges in ye said Order of dismission as are preceded to ye said request of ye Governor, Councell and Assembly. And as unto ye other charge, in ye said Order Comprised, That ye said Mr Bond had been an Instrument lately to present ye Governor upon ye Bench for some Proclamations made and issued out touching liberty to be granted to Negroes imbracing ye Christian faith. And that thereupon he the said Mr Bond came into open Court, and owned his contrivance of, and avowed ye said presentment, and further did alledge. That ye breeding up of such children in ye Christian Religion makes them stubborne. The said Committee are satisfied by ye severall Evidences read unto them, that ye Negroes taking occasion from the Proclamation set forth by ye Governor, touching there liberty, but besides ye intent thereof, may Comitt many Insolvencies against there Masters and Mistresses, was a necessary ground for presenting the paper Entituled A Publick Greivance to the Grand Inquest, but withall ye said paper was presented only by Mr John Stowe, and subscribed with his name . . . And that Mr Bond was not ye Author of ye said presentment, or did owne it in ye Court as he is Charged to have done. Soe as upon ye whole matter, and upon Consideracon of the Petitions of every of ye Tribes in ye said Islands, (which stand likewise referred to this Committee) making it their request to ye Company to have ye said Mr Bond restored unto them. The said Committee doe humbly Conceive, that it would tend much to ye satisfaction, peace and Comfort of ye Inhabitants of ye said Islands, That Mr Bond be returned to his Charge in the said Islands by the next shipp, and be restored to ye meane profitts belonging to him as Minister in ye Islands since his said dismission, as if the same had never been.[1]

This Court doth approve of ye said Report, and doth Order and Confirme the same accordingly.

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[1] It was probably on his return from England on this occasion, England being then at war with the States-General of Holland, that Bond was taken prisoner in the Bay of Biscay by a Dutch privateer, and carried to a port called 'the Groine' in the King of Spain's dominions, where he obtained confirmation of the ancient traditions respecting Spanish treasure buried in Bermuda. (See W. Frith Williams's Historical Account, 1848, p. 313.)

(2) Also it was moved that M^r Bond have some allowance for his Charges in this his defence, also the Court doe leave him at liberty to take Cource at Law against such as have done him this wrong. Also that it be examined who are y^e Authors that occasioned the sending for him over. And thereupon ordered, That it be referred to a Select Com̄ittee to consider off M^r. Bonds Charge of that his defence under y^e Limitacon of y^e Law now read Arte 98. And the Courte nominated M^r Day, M^r Browning, Alderman Chandler, M^r Trear, M^r ffolgatt, Capt. Jenkins, M^r Samuell Smith, and M^r Doulson, or any five of them, to be a Com̄ittee in that behalfe, and to meet for that purpose at y^e Court house on ffryday next at two of y^e Clock in y^e afternoone with power to adiourne &^{c}. To y^e same Com̄itte also it is referred to examine who were the Authors that occasioned the sending for over of M^r Bond, and they to report touching both perticulars to y^e Court.

Ordered at a Generall Court, that the above-said order be sent in the Companies box, with their general Letter to y^e Governor and Councell in the said Islands.

18 June 1672 W^M. Minors Secretary

62. Extracts from a Letter from the Company without date; probably written September 1672.

(1) Wee cannot but with great greife of heart represent unto you our deepe resentment of y^e present sad condicon both of the Company & Colony of y^e Som̄er Islands, necessity calling upon us to call upon you seriously to lay to heart, what wee shall now lay before you; And if their be any sence yet remaineing in you of the glory of God, the honour of his Ma^{tie,} of selfe preservation, the security and prosperity of y^e Islands, or regard unto us whome God and the King have intrusted with y^e Government thereof; that you would now at last take timely warning (if at last it be timely enough) and joyne hands and hearts with us, both to redress present, and to prevent growing evills, not to say utter ruine, for y^e future. Wee have for many yeares laboured at the oare, nott seeking ourselves, or our owne particular profitt, but your good & welfare, but all our indeavours have hitherto bin frustrated, while our authority by some ill meaning men hath bin contemned and openly derided, our just Laws and Com̄ands sleighted and disobeyed, and our advice and Councells reiected. You well know that the Ancient and equal way of raiseing monies (without which neither Amunicon can bee provided for y^e safety of y^e Islands, nor officers and Ministers maintained) hath bin by laying an Imposicon on Tobaccoes, the only Comoditie the Country hath hitherto produced, and wherein wee have imposed noe more upon

them then upon our selves. And you likewise know how many fraudulent wayes and artifices have bin used by some persons, not only to avoid the payment thereof themselves, and thereby defraude y^e^ Company, but to discourage and deterr others from paying the same. But which is yet a farr greater and more fatall mischeife if that your Tobaccoes are now fallen to be littell or nothing worth, that they cannot well beare y^e^ Imposicon of a necessary duty, for as things now stand, his Ma^ties^ Customes, the freight and the Companies dutys, and other charges, are as much if not more then the Tobaccoe will yeild to sell if wee had it for nothing. The principall reasons whereof and peculiar to the Tobaccoe of the growth of that Island (to say nothing of y^e^ vast quantities of Tobaccoes made at Virginia and other Plantations) Wee take (amoungst others) to be theis following reasons, first the over great quantities made in your Islands, soe as the Merchant that supplyes you with goods, and takes for them tobaccoe att a price must necessarily loose all he gives for y^e^ Tobaccoe and moore, the consequence whereof wee leave for you to Judge, being above double as much as this kingdome can vent, and being a sort of Tobaccoe not soe generally vendible in any place as other Tobaccoes are, but only in Wales and in some few other places.[1] Secondly, The makeing upp of bad, and the bad and false makeing of good Tobaccoe, which hath brought so generall a disesteeme upon y^e^ Comoditie, that here it lies, and scarce anybody enquires about itt, and those that doe, offer not more for itt then only the charges upon it without the first cost of the Tobaccoe. Thirdly. The transporting by stealth and otherwise a great part of y^e^ Tobacco in other then the Magazeene ships, by w^ch^ meanes the Kings Maiestie being defrauded of his Customes and y^e^ Company of their duties, the owners of such Tobaccoes can soe undersell their Tobaccoes that it utterly spoiles y^e^ markett of all the rest, all w^ch^ mischeifes as the Company have long sence by their vigilent prudence foreseene and feared, so have they used their utmost endeavours to prevent it by many wholesome lawes by them from tyme to tyme for that purpose made and published. But what doe wee or our lawes signifie, or in truth his Ma^ties^ authority under w^ch.^ and by virtue whereof wee governe, while wee have to doe with a people refractory and averse to theire owne good, And those that govern under us doe not execute but dispute, or at least dispense with our lawes.

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[1] I . . . from tube as black
As winter chimney, or well polished jet,
Exhale Mundungus, ill perfuming scent,
Not blacker tube, or of a shorter size,
Smokes Cambro-Briton.
The Splendid Shilling. S. Phillips. 1703.

Nor are wee unsencible that y^e bad and disorderly makeing of Tobacco both for quantitie and qualitie hath bin in greate measure occasioned by supplying the said Islands with necessary commodities by severall members of y^e Company and others tradeing upon severall and divided interests, while for want of mutuall correspondence each with the other, they not only overglutt the markett there with goods, But to reimburse themselves againe, and each one to enlarge his owne trade, have bin willing and content to receive from the Inhabitants all y^e Tobaccoe they could, without respect had either to y^e quantity or qualitie thereof, whence hath proceeded both y^e extraordinary quantitie and badnesse of Tobaccoe. To remedy all which mischeifes and to obviate (if possible) y^e utter impoverishing of y^e plantacon which must necessaryly ensue (if not timely prevented), wee are driven (with phisitians in desperate cases to their last refuge) to take up our resolution, and accordingly wee are resolved, And att a Court held for the Company at Sadlers Hall in London on thursday the eleventh day of this instant July, have ordered that from henceforth the said Islands shall be from time to time supplyed by y^e Company in a Joynt Stock and Trade with all commodities they shall stand in need of at reasonable rates, in the management whereof wee shall take care that y^e Country shall not be abused or imposed upon by our factors to pay greater rates for commodities then wee shall set upon them by our Invoice from hence, soe wee shall expect that noe Tobaccoe shall be delivered to, or received by our ffactors, or in truth otherwise exposed for sale, but shall be made upp & approved of according to our lawes in that behalfe, which wee shall strictly require to be duly put in execution, and in order to y^e carrying on of y^e Joynt trade, wee have likewise agreed and ordered, that a Joynt Stock whereof ffower thousand pounds ster^l shall be raised by y^e Company by severall payments, wherein wee doe not intend to exclude such inhabitants in y^e Islands as have bin actually admitted Members of the Company. But if they will they shall and may come in for a reasonable proportion in y^e said Joynt Stock and Trade. Which said designe Wee judge will be very gratefully received and redily closed with by y Country, and as that which proceedes meerely from our love to them and our care & desire of their welfare. Especially if you and they duely consider, That it is y^e likely (if not the onely) way to bring y^e Commodity of y^e Country into creditt againe, and to provide that y^e Country bee not exacted upon, but supplyed with necessaryes att reazonable prizes.

Uppon this head wee have y^e more inlarged because indeed as wee conceive, it tends the very being of y^e plantacon, otherwise wee should have premised what followeth, tending to the furthering thereof.

[Then follow cautions against Atheism, Profaneness, Drunkenness and other prevailing vices, as the bane of the plantation; exhortations to the observance of wholesome laws, and instructions to Sir John Heydon to convene a General Assembly to consider thereof. The Letter proceeds:—] Wee doe with all earnestnes comand and require your vtmost care, vigilance, and diligence in order to y^e^ safety and preseruation of the s^d^ Islands, as att all times, soe now especially in this time of warr by putting the same into a present posture of defence, setting the Militia, and causing all men inhabiting y^e^ sd Islands, aboue y^e^ age of sixteene yeares, and vnder y^e^ age of sixty, to be inlisted trayned, and to be ready vpon publicke seruice vpon any emergent occasion, and whereas wee are giuen to understand that when a Dutchman was lately att y^e^ Island sounding about the same (as wee doubt to the great endangering thereof) there was a plan discouered formerly vnknowne by w^ch^ a shipp of 100 tonn burthen may come into the Islands, w^ch^ at present is naked of any defence, Wee doe likewise command that you take the same presently into your serious consideracon, and that you cause some fforte, blockhouse or other sufficient defense to be raised and made there at y^e^ charge of y^e^ Inhabitants, for securing y^e^ said place against dainger, and that, as well as all other fforts bee circumspectly looked into, and all things therein and therevnto respectiuely belonging, kept in a readinesse and euery Captaine and Officer held to his duty. Such is his Majesty's resentment as well of the consequence as danger of that Island, that he hath bin pleased for our encouragement to contribute armes and Ammunition for the said defence, and accordingly expects yo^r^ vtmost care therein, as wee also doe.[1]

Signed SHAFTESBURY G.
WILL WEBB, Dep.

63. The transaction following is one in which we have the advantage of hearing both sides, the historian of the Quakers having thought it worth relating at some length:—

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[1] The arms are specified in an earlier part of the letter, viz.:—125 musketts with firelocks, 5 cwt of Muskett Shott in Bullets, 20 Barrells of powder, 3 cwt of Musquett Shott, 2 cwt of Carbine shott, 1 cwt of Pistoll shott, 130 of y^e^ highest of y^e^ Demy Culuering Shott, and Minion Shott, 60 Sacre shott, 20 of each size of cross barr shott. There is added an order for all freeholders and others, worth £20, to provide and maintain their own arms.

At a Council Table held 3 Febuary 167$\frac{2}{3}$.

(1) The Governor propounded the occation of this meeting to arise from a disturbance of M^{r} Edwards Minister, in the time & afterwards, of his preaching at Devonshire Tribes Church, on y^{e} 30th day of January 167$\frac{2}{3}$, being a day of Public Humiliation, sett apart by Authority for y^{e} Humbling our Souls before y^{e} Lord by ffasting & prayer, wch disturbance was occasioned by Elizabeth Carter, William White & Parnell Wilkinson, Quakers, as likewise some other disorders.

After wch proposall of the Governor, M^{r} John Bristowe Provost Marshall was sent to ffech William White out of prison into y^{e} Court to answere y^{e} Charge against him of disturbing y^{e} Minister & confronting Authority, unto wch he pleaded not Guilty of what y^{e} Mittimus saith, that he came on purpose to disturbe y^{e} Minister, or to confront Authority. And thereupon desired it might be made good against him. Whereupon Evidences were called, wch are as followeth.

The Attestation of Thomas Burges who sworne saith, That he was going to Brackish Pond Church on the fast day of y^{e} morning, and he saw Elizabeth Carter and M^{rs} Wilkinson and M^{r} Righton Junr come downe from William Smiths house, M^{r} Righton went before, & the two women followed after, and after y^{e} women, went William White from ye house and overtook the others, and then went in Company with the other a little way & talked with them and afterwards left them and so went straight to Church, and further saith not.

The marke of THOMAS ≷ BURGES.

M^{r} Henry Moore Councellor Demanded of William White whether he did not know that the woman came in on purpose to disturbe y^{e} Minister. He answered that she came to tell y^{e} Minister wherein he said Amiss.

The Attestation of John Gilbert, sworne saith That upon y^{e} fast day, being y^{e} 30th January 1672. That William White standing in y^{e} Alley of the Church, he Joged y^{e} said William White with his stick and spake to him to sitt downe, but hee did not accept itt, and com̄ing downe to Towne, I, y^{e} said Deponant asked him why he would not accept of my offer, his Reason was, that hee would not Joyne with us in our worship, and farther saith William White stood in y^{e} Alley of y^{e} Church in y^{e} time of M^{r} Edwards praying & preaching, with his hat on.

JOHN GILBERT.

The Attestation of Laurence Dill sworne saith, that upon y^e^ said fast day aforementioned, William White was at Brakish-pond Church, And he saw the said William White stand with his hatt on. And when he was at Neybour Joneses house, I, this Deponant said to William White, that the Apostle did not allow that to be a handsom behaviour, to stand with a mans hatt on in y^e^ time of praying or prophesying. The said William White replyed, y^e^ prayers of y^e^ wicked are Abomination to the Lord.

LAURENCE DILL.

After these Evidences William White Alleadged that y^e^ Mittimus was not proved against him that he came on purpose to disturbe y^e^ Minister, or to confront Authority, and therefore desired that he might be Released. Upon wch it was put to y^e^ Court, whether William White were reached by y^e^ Mittimus, or not. Four were found to vote in the negative, but the majority of nine, evading this question, decided that he was guilty of a breach of the peace.

Question whether y^e^ said William White shall be fined for his disturbance in y^e^ Church. A fine of £3 is inflicted, Cornelius White the Secretary, and probably a relative, being the only one to oppose it.

Question, Whether William White shall be fined for standing with his hatt on, in contempt of y^e^ Court. A fine of 15s is inflicted by a majority of 11 to 2, Cornelius White and Henry Durham being the minority.

(2) Parnell Wilkinson being examined concerning her being at Brakish pond Church, upon y^e^ ffast day being y^e^ 30^th^ of January 1672, Did call God to Witnesse that she came not to Contemn Authority or to disturbe, but stood peaceably, And withall presented a paper y^e^ Contents whereof is as followeth.

To the Governor and his Councell

ffreinds, forasmuch as it did please the Lord to put it into y^e^ hearts of some of his people (called Quakers) to goe to your Meeting place in Devonshire Tribe, on y^e^ last ffifth day, being y^e^ 30^th^ y^e^ M called January 1672, wher many people was mett together, and seing it is Charged on us according to our Mitimus that it was on purpose, and to contemn Authority, which thing wee doe deny as y^e^ doing it as in Contempt, Neither doe wee know it is y^e^ breach of any Law of y^e^ land, to come & to stand peaceably in your meeting Place duering y^e^ time of your service as wee two did (vizt) Will White and Parnell Wilkinson, speaking not one word y^t^ time that wee was therein, and wee hearing that a proclamation is given forth for ye Amercing of such as come not to church, and if wee do come (though wee speake not a word) we are Imprisoned, as in ye case of us two aforesaid, this appeares to straiten us, And as for our other friend namely Eliz. Carter, who was therein all ye same time, wee say she spake but little, at wch none need to be offended, for where a Teacher is out or mistaken as itt was so with him att ye time, why should any offence be taken to heare him directed into ye truth again, and according to ye order of ye Church in ye primitive times, there was a liberty granted, that if any thing had bene revealed to another yt: stood by, ye first should hold his peace: as ye Apostle saith you may all prophesie, one by one, and ye spirits of ye prophets were subiect to ye prophets, and this amongst the apostles was not counted disorder, nor ye Ministers of Christ was not disturbed, nor ye Churches peace was not broken, nor tumults made, as you may read in ye Scriptures of truth, and although this was ye good order of ye Church of Christ in ye Apostles dayes, yet I was denied that liberty, yt was amoungst them; and Contrary to it, and ye saints practises, was hailed out of the meeting and abused (whereby Christs word was fulfilled[1]) as a Malefactor, and cōmitted close prisoner, soe these things wee desire you will Conscientablely consider & judge off on our behalfe, for we doe declare ourselves to be Innocent from wronging or abusing any mans person, by us whose names are hereunto subscribed

William White
Parnell Wilkinson
Elizabeth Carter.

After ye reading ye above written copie, Mr Anthony Jenour Sherrife, said unto Parnell Wilkinson, that if she would say as in ye presence of God, that she came to ye meeting in obedience to ye proclamation, there should be an end of this controversie, to wch she replyed, why should she say so, but she came not in contempt of Authority. Whereupon it was put to ye Court whether Parnell Wilkinson was ffineable for her transgression, and decided that she should be fined forty shillings. The sheriff however mercifully pleading that although she was guilty of the breach of the peace, yet being poor, her acknowledgement might be accepted. William White & Parnell Wilkinson from this time of ye Courts sitting, being the 3rd of ffebruary 1672, released out of prison, paying ye Marshalls ffees.

(3) Elizabeth Carter being brought before ye Court for that she did, on ye fast day, being ye 30th day of January 1672, Dis-

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[1] Here is a marginal reference to John xvi. 2.: 'They shall put you out of the synagogues.'

turbe the Minister M^{r} Edwards, both in y^{e} time and afterwards of his preaching att Devonshire Tribes Church, she justifying what she did, pretending it to be noe cause of disturbance, as y^{e} aforementioned paper doth Signifie, She was sent out of y^{e} Court againe, being told she should be sent out of y^{e} Islands.

Question propounded by y^{e} Governo^{r} to the Court, Whether that Elizabeth Carter or Ann Butler shall be sent away out of the Islands, Sir John Heydon the Governor with the majority decided that they both should go away in y^{e} first opportunity. M^{r} Wainwright voted that Elizabeth Carter should be bound to her behaviour. The Secretary, M^{r} Durham, M^{r} Lecrayft, and M^{r} Peniston voted that Elizabeth Carter that offered y^{e} Disturbance, should goe y^{e} ffirst opportunity out of the Island.

(4) William Righton Junior of Pagetts Tribe, Summoned before y^{e} Court and accused for saying unto John Gilbert, Your Worshipp is abominable, who had bin joyned with y^{e} rest of y^{e} Congregation in y^{e} ffast days services at Devonshire Tribe Church where y^{e} Minister M^{r} Edwards had bin praying & preaching.

The Attestation of John Gilbert taken before y^{e} Court, who being sworne, saith that I John Gilbert on y^{e} fast day being busily imployed about y^{e} carrying away of Elizabeth Carter from Brakish Pond Church yard to Neybour Joneses, William Righton Jun^{r} standing in y^{e} yard by and talking in their behalfes, I did Com̄and y^{e} said William Righton in his Ma^{ties} Name to ayd and assist mee, but hee did not, and y^{e} said William Righton said unto me, this Deponent, that your worshipp is abominable, and that I this Deponent had done y^{e} worst dayes work that ever I did in my life.

John Gilbert.

After some debate of y^{e} matter, it was put to y^{e} Court, Whether William Righton Jun^{r} were fineable for his Transgression. Whereupon he was fined Three pounds for his reproaching y^{e} Worshipp of God and refuseing to performe y^{e} duty of his office.

The aforesaid William Righton appearing in Court with his hatt on, and keeping it on, tho spoken to about it, It was put to y^{e} Court by y^{e} Governor, Whether y^{e} said Righton should be fined for his Contempt of y^{e} Court, and decided by a majority that he should be fined fifteen shillings.

Ordered by y^{e} Maior part, that y^{e} ffines when Levied by y$_{e}$ Sherrife, is by y^{e} Sherrife to be laid out in defraying y Charge of Elizabeth Carter & Ann Butler, for their Transportation & Imprisonment, and to pay y^{e} Charge of those persons that brought the three persons to prison.

(5) Capt John Hubbard ffined Ten shillings for his going

away from ye Councell before ye Court brake up, without His Honors Leave.

In all the foregoing divisions or votes, the secretary, Cornelius White, took the indulgent side, his supporters being, Durham, Leacraft and Wainwright. The rest of the Council, Heydon not being an exception, were for fines and penalties.

(6) Bisse's narrative supplies many particulars of private suffering, and does not exaggerate or misrepresent the occurrence :—

We shall next relate the various Sufferings of Elizabeth Carter, an Inhabitant of Barbadoes, who coming from hence to Bermudas to visit her Friends there was several Times banished. The first Offence taken against her was on the following Occasion, viz She the said Elizabeth Carter being under a religious Concern of Mind to utter some Christian Exhortation to the People, went to their publick Place of Worship in Devonshire Tribe, on a Day appointed by the Governour for a Publick Fast, where the Preacher, one Edwards, in his Discourse concerning Mordecai and Haman, so far mistook his Subject, as to tell his Auditory that Mordecai was hanged, upon which the said Elizabeth told him that it was Haman, after which she stood still till his Sermon was done, and then began to speak to the People. Upon which the Priest cried out, Are there no Officers here! Then they dragged her away with much Violence, so that they had almost deprived her of Breath, having brought her before the Magistrates, they sent her to Prison, together with Parnel Wilkinson and William White, who having a Sense of her religious Concern, accompanied her. After five Days they were brought into court, when the Governour told her, She had broken the King's Law, and must be banished. She asked, Whether that was the Punishment the King had ordered for Breach of that Law, The Sheriff answered, It was the Company's Order She should be banished, because she was a Quaker. She asked them, How did they distinguish a Quaker! The Governour then ordered a Paper to be read, which had been sent to him, subscribed in the name of some called Quakers, whence he inferred that the Subscribers were such, and so without farther Proof proceeded to Banishment, and made an Order for transporting Elizabeth Carter and Anne Butler to New Providence. A Copy of his Warrant was as follows, viz.

'By the Governour

'To David Ming, Master of the Ketch Francis.

'These are to authorize you to receive on board your abovesaid Ketch, Elizabeth Carter and Anne Butler, foreign Quakers, and them transport to your intended Port New-Provipence, and them permit not to return to this Island again, upon the Penalty of one Hundred Pounds Sterling, according to the Company's Order: And for your so doing this shall be your Warrant. Given under my hand at St. George's, this 17th of February 1672. 'JOHN HEYDEN.'

The other two Prisoners, William White and Parnel Wilkinson were fined, the former £3, and the latter 40s, for which Fines the Sheriff broke open a Chest of White's, and took away Goods to the Value of £9, and took also from Wilkinson Goods worth 20s. The Court also fined one William Righton £3 10/. for standing in their Place of Worship with his Hat on, and took from him Cattle to the Value of £6 7/.

64. A Proclamation Issued forth by Sir John Heydon Kt, Governor & Capt: Generall of these Islands 3rd May 1673.

To prevent all disorders that may happen upon any sodaine Allarme, either by fforreigne fforces or intestine Mutanies. These are in his Maities Name to charge & comand all ye Military officers whatsoever of these Islands, That they observe and keep all such orders as were Concluded & agreed upon at a Councell of Warr in Pagets Tribe held at Capt John Hubbards house the ffirst day of May 1673, are as followeth.

Impr. That upon an Allarme ye Respective Captaines of each Company doe make choise of 16 or 20 men that are unarmed to send them to ye towne, for ye defence thereof, And upon ye approaching of an enimie for the assaulting of these Islands, one Company doe retire to ye other for their better aid & Assistance.

2 It is unanimously concluded that wherever an enimy approaches to land, the Company of that Division shall oppose them by force of Armes to ye uttermost of their powers, After what manner or forme ye Comander doth thinke fitt. And when any aid doth come, that ye Comander of such aid, doe Lead on & Comand their own Company till further order from their Generall.

3 It is further agreed & concluded upon, That whatsoever person hath any Drumes, Armes or Amunition of his owne, and refuseth to serve with them in person, That ye Comander of that Division shall seize & take away such Drumes, Armes &

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Amunition from y^e^ person soe refuseing, and Arme whom hee pleaseth with them, and force y^e^ person that was y^e^ owner of such Armes or Amunition to serve with y^e^ Companies insteade of their owne, Moreover it is Concluded that y^e^ powder & shott that hath bin or shall be delivered to the respective Commanders: every souldier that shall be found Wasting, or imbesselling y^e^ same shall be tryed by a Councill of Warr, as also every Soldier that hath Bullets delivered to him, that are not equall with y^e^ Bore of his Musquett, or other Armes whatsoever, doe immediately after y^e^ Reception thereof make them sutable & fitt for y^e^ use Aforementioned. Likewise it is concluded that all defective Armes be forthwith amended, and that all persons that have Horses doe train them up to y^e^ sound of Drums & Guns & y^e^ sight of fireings, that soe they may bee y^e^ more serviceable for y^e^ use of y^e^ Country in time of Dainger, And that some skillfull & knowne Riders, bee Constantly exerciseing them as opportunitie shall present.

4^ly^ It is further agreed & concluded upon, that all Masters of ffamilyes in these Islands shall upon Allarme, bring or send unto y^e^ respective Rendevous their Negroe men or boyes that are 14 yeares of Age & upwards, with what weapons they think meet as Lances or Axes or y^e^ like, then & there to waite y^e^ Comanders Order, and for such persons as refuse soe to doe to forfeit ffive hundred pounds of good Tobacco, to be paid towards y^e^ makeing & repaireing of ffortifications, and to submitt to such further punishment as y^e^ Generall & his Councill of officers shall thinke meet, and that all Negroes shall yeild obedience to their respective Comanders upon paine of Death.

5^ly^ It is further agreed & concluded upon: That if any of y^e^ Captaines of these Islands shall issue out Warrants for y^e^ punishing of offenders. That if any officer under them shall refuse to execute any such Warrants, or any souldiers in assisting him, That every officer soe refuseing shall forfeite five hundred pounds of Tobacco as aforesaid or suffer three weeks Imprisonment, and every souldier disobeying his Comander or any officer under him, shall forfeite & pay three hundred pounds of Tobacco as aforesaid or suffer 3 weekes Imprisonment.

6^ly^ It is further agreed & concluded upon that if any persons shall combine & agree together to disobey their Comanders, or to raise any Mutanies by Word or Action, That all such soe offending shall be forthwith sent to y^e^ Goale prisoners in order to be Tryed by a Councell of Warr or according to Marshall Law.

7^ly^ It is further agreed & concluded upon, That at y^e^ shooting of a great Gun or a little Gun before sun Rising, or after Sun Setting shall make an Allarme through y^e^ Islands, and this order to continue while further Order from y^e^ Generall.

8ly It is further agreed & concluded upon, That all ye Comission officers of ye Militia in ye Islands that have not taken ye Oathes of Allegiance & Supremacie, shall at ye next Councell Table appeare to take ye same before ye Governor & Councill, and likewise it is ordered that it be recommended to ye Councellors to Administer ye said Oathes to every one of their Respective parishes that hath not taken it alreddy that is of 16 yeares of age or upwards, and ye names of such to be returned to ye office, that are at this time sworne.

9ly It is further agreed & concluded upon, That upon sight of a Shipp in ye West of these Islands, none presume to goe aboard for Intelligence, but such as shall be sent out by ye Councellor or Capt, and that neither of them tollerate Negroes or Indians to be of ye Gang, as likewise that ye Councellor or Capt upon Intelligence had, shall forthwith send ye said Intelligence to ye Generall. And that whosoever shall presume to goe aboard any Vessell whatsoever, but such as shall have Lycence, as is before expressed, shall for their default, be sent forthwith to ye Generall to receive such punishment as his Honor pleases.

10ly It is further agreed & concluded upon, that two men every night bee upon ye standing watch through ye Islands, and ye motion of ye said Watch left to ye Discretion of ye Comanders, and ye addition of men for the strengthening ye same.

11ly It is further agreed & concluded upon, That every Souldier for his better reddinesse to oppose an enimie, doe fitt himselfe with Carthrages ffitted to his Musquitt or Carbine, And that the Comanders take care that every man that is wanting of a Caduce [Cartridge ?] Box in their severall Companies, be forthwith provided with ye same, the charge thereof being to be borne by the publique.

12ly It is further agreed & concluded upon, that ye Sherrife provide paper roll, or Hambroe, or some other thing equivalent to make Carthrages for ye great Guns at the fforts & Castle.

Every Comander that shall neglect the putting these aforementioned Orders in Execution shall be fined & pay to ye Capt: Generall for publique uses Ten pounds Sterl.

These are therefore in his Maities Name, strictly to Charge & Comand all his Maities good and Loving Subiects to give all due & reddy obedience unto their severall Comanders upon all occasions, upon paine of being punished according to ye Lawes & Disciplin of Warr. Given under my hand at St Georges the 3rd day of May 1673, Together with ye publique Seale of these Islands hereunto affixed.

J. Heydon.

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65. The General Assembly convened at St. George's, 11 August, 1673, 'To consider such things as may tend to the Wellbeing of the Islands and also to present and if by any means possible to remedy such agreivances as doe require speedy redres,' in forwarding the annual abstract of their legislation, enter at great length into their grievances. The document is most irregular in form; grievances and enacting clauses being mixed up without any distinction, even by numbering the latter. It may be thus condensed:—

(1) The Companys proposal for a Joint Stock in their last General Letter, is denounced as in no way tending to the well being of the Islands. The failure of the previous joint stock undertaking for whale fishing is a sufficient Beacon of warning. The Freeholders and inhabitants claim freedom to trade as they please, and view with suspicion the pretended love of the Company.

(2) They, the representative body of the Islands, after due and careful consideration & inquiry, repudiate charges, they will not say of atheism, but of prophaneness, drunkenness, uncleanness and other licentious courses of life.[1] 'We cannot but conclude y^t the terming of us as irreligious, and irrationall prophane and refractory, and y^e hopeful issues of our Bodies which are dearer to us than our lives, we mean the youth of our country, opprobriously nicknamed Spawns and young ffry, is no less than a machiavellian designe of some interested persons to wrap us in a Bears skin and with y^e Dogs of cruelty to devour us.'[2]

(3) If such false calumniations were true, the neglect to send and to maintain ministers would be enough to account for it.

(4) The Company exacts One third part of their Cōmodity yet still cries out Debt! and will render no account.

(5) A Short Act renewing and enforcing the former acts against Vice and immorality is appended endorsed, as are several of the others, Put to the vote and past.

(6) A recital of the loss incurred by the late and irregular

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[1] Colonial Papers, vol. xxxiii.

[2] The language which gave such offence occurs in the letter of September 1672 (p. 370):—' Nor can wee without dread *contemplate what the* next succeeding age and generacon is like to be in y^e Islands, while y^e spawne and young *fry* wee meane y^e youth of y^e country (the pledges of your future hopes) are generally by the poorer sort of people their parents, nusled (nursed ?) vp in idlenesse.' . . . .

arrival of the Magazine ship, and praying that it may be dispatched not later than August or September. An enactment against any traffic in the years tobacco before the 10th November.

(7) A denunciation of the extorsions practised by factors.

(8) An Act to permit free trade in the previous years Tobacco, if no magazine Ship arrives by March 10th.

(9) Insists that as the Court and Assistants in London pretend to receive complaints against the planters, and exercise Authority, they should take the Oaths of office provided for them.

(10) An Act that All Governors and Officers of the Company shall be liable to any action or actions which may be or ought to be commenced against them. Excepting however the Governor during his term of office.

(11) Makes it Obligatory to all factors to receive Rents before the 26th November. The object is that any unavoidable loss by the deterioration or drying of the Tobacco may be at their risk, not the tenants.

(12) Recites the hardship of the Companys prohibition of the export of Oranges Potatoes and the like in Cedar boxes and casks, and enacts that all produce except Tobacco, may be so exported.

(13) Against trespassing and making unlawful paths across other mens grounds.

(14) A penalty of £10 against those who facilitate robbery and running away of slaves by leaving Sails and oars in their boats.

(15) Against the stripping public lands of Timber and fire wood by commanders of the magazine ships.

(16) 'Whereas severall psons in these Islands y^{t} are of sufficient ability to serve his Ma^{tie} y^{e} Company and country, yet pleading tendernes of concience are unwilling to obey the civill magistrate in temporal things' proceeds to enact that such persons (Quakers) shall pay a substitute.

(17) Provides for the payment of the necessary charges of persons chosen as assembly men or Jurors, the same to be levied according to every mans visible estate, y^{t} soe there may be no oppression of the poor.

(18) Complains of the high port charges as deterring ships from coming in, and enacts that they shall pay no port charges save Pilotage and the Tollage for Water, and Wharfage.

(19) Specifies at length the defects and wants of the Works of Defense: at a time when 'his sacred Majesty our dread sovereign is engaged in a bloody war against the estates of the united Provinces,' and enacts that any goods of the Company in

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the hands of Mr Anthony Jenour, Sheriff, shall be laid out by him to meet the expenses of necessary repairs, for which it is affirmed that the Proprietors are responsible by law.

(20) Vessels not to be obliged to take Pilots.

(21) The sheriff complaining that he has but 3½ instead of 4 shares of land. Ordered that some competent surveyor be employed to lay out a full 100 acres for him.

(22) Subjects persons who go on board ships within 7 days after their arrival for any purposes of Trading beyond a value of £10, to penalties as regrators, forestallers, and ingrossers.

(23) The rents and profits of gleabe lands, where there is no minister, to go to defray Public charges Their timber to be protected.

(24) All mulcts, fines, penalties, forfeitures, all goods comodities Rents and arrearages above the value of 5s sterling, to be disposed of by the Governor and Council for public services The sheriff to render an account. The Act is limited to the term of Sir John Heydon's Office.

66. The Assembly having concluded this business, adjourned until the 14th October, when it proposed to meet again at Paget's Tribe Church. An arrangement so unconstitutional, necessarily incurred the opposition of the Governor, who forthwith dissolved it.

Upon ye 23d day of August 1673 After ye signeing of ye Acts & proceedings of ye Assembly, together with some small Conferences, The Assembly haveing desired to adiourne themselves to another time: The Honoble Sir John Heydon Kt & Governor of Somer Islands, did in the Kings Maties Name dissolve ye Assembly in these words. By ye power committed to me, I doe in the King's Majesty's name dissolve this present Assembly, and by the power thereof be it dissolved. God save the King.

The policy pursued by the Crown between 1629 and 1640, notwithstanding all the teaching of subsequent events, now furnished a fatal precedent to the Bermuda Company, which will be traced in the next chapter. No General Assembly was convened again until 1683.

CHAPTER XVI.

CONTINUATION OF THE GOVERNMENT OF SIR JOHN HEYDON, 1673 TO 1683.

ACTIVE AGITATION AGAINST THE BERMUDA COMPANY.

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1673-1683.

1. THERE appears to have never been a time in the history of the Plantation in which the complaints of the inhabitants against the Bermuda Company were not many and bitter. The petition addressed to the Lord Protector in 1657 (*ante*, p. 104) was but the first of a series of appeals to the State for the removal of oppressive imposts or of restrictions upon trade, or for a larger measure of self-government. Accompanying the votes of the Assembly in the last chapter were two petitions, dated August 11, 1673; one addressed to the Right Hon. Anthony Earl of Shaftesbury, the Governor, the other to the King, representing the defenceless state of the island and imploring, in urgent terms, that their grievances might be inquired into.[1] No notice was taken of them beyond the administration of a severe rebuke, and they only came to light in 1679. The deterioration of the Company itself, no less than the progress of the age in ideas of civil liberty, sufficiently accounts for the impossibility of maintaining an obsolete authority, although the suicidal policy of the little clique of traders into whose hands it had fallen is not so easily explained. Among the Instructions to Council, and miscellaneous papers, preserved in the Record Office, is one without date, which explains very concisely the nature of the change which had come over it:—

> At the first incorporating of the Bermuda Companie they were 156 of the nobility gentry and merchants, all resident in

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[1] Colonial Papers, vol. xxxiii.

and about London, who were then owners of all the lands in those Islands, and the planters either their Servants or Tennants at half Proffit, and were all sent hither at the company's charge.

The Company have now alienated so much of their land that this pretended Company have not one twentieth part of the Islands, nor are they a sufficient number to make a Company as is directed by the Charter, being reduced to about 20 persons in all, whereas the constitution of the Court requires 30. The present Company are but purchasers of their land and interest in the said Islands, and have very few of them above one share apiece. And many of them but sham purchasers to make voters, and to keepe vp the meare Rumpe of a Companie who oppresse and ruin the Plantations.

2. The byways as well as the highways of Court influence were trodden to reach the goal, and the following letter from the King, which was afterwards revoked (p. 410), must have been obtained through the former:—

To our trusty and Well beloved the Governor, Governors, Company and Council of and in the Somer Islands for the time being, and every of them 17 Aug 1673.

CHARLES R.

Trusty and well beloved, We greet you well. Whereas our Royal Grandfather James of blessed memory, in the thirteenth year of his reign did grant a Patent unto several Earls, Lords and Gentlemen named in the said Patent, and did incorporate them by the name of the Governor and Company of the City of London for the Plantation of the Summer Islands. In which Patent among other things therein contained they had power granted them, and were enjoyned to send Ship or Ships and all manner of Goods and Merchandize to supply the said Islands with all things necessary, and to bring from thence all sorts of Commodities of the growth of the said Islands to our dominions; now for the space of these forty years last past it appeareth unto us by good testimony, that the said Company hath not sent any Commodities to the said Islands in a Joint stock, to supply the Inhabitants there withal, but that they have been for above these forty years supplied by particular members of the said Company only. And that our well beloved subject Perient Trott an ancient member of the said Company for the space of above Thirty years last past hath yearly supplied the said Islands with all sorts of Commodities. Therefore to the end he may for time to come be the better encouraged in his said trade to and from the said Islands; and he humbly representing unto us that to his great loss and prejudice he hath been several times denied the shipping of his goods and merchandizes of the growth of the said place and Islands on Ships putting in there, although such ships have been duly qualified by Acts of Parliament to go to and from the said Islands to this our Realme. We taking the premises into our Princely Consideration and the good and acceptable service so from time to time done by the said Perient Trott unto those our Plantations, and the hard measure he hath met with in the Requital of the same; are graciously pleased to signify our will and pleasure is that from henceforth you permit and suffer the said Perient Trott, his factors or agents for such time as he shall continue a member of the said Company, to Export and Import any Goods and Merchandizes in any Ship or Ships whatsoever, to and from the said Islands for this our kingdom, without any Let, hindrance or molestation whatsoever, such Ship or ships being duly qualified as aforesaid; and such goods and Merchandizes not being prohibited to be so exported and imported by any Act or Acts of Parliament for the time being. And herein We expect your ready compliance for the future redress and ease of our said good subject. And so bid you farewell. Given at our Court at Windsor this 17th day of August 1673 in the 26th year of our reign.

By his Majestys Command

ARLINGTON.

A letter to the same effect was addressed direct to Sir J. Heydon, October 24, the receipt of which caused much perplexity to that worthy official, as will be seen further on (p. 394).

3. At a Councell Table 11th November 1673.

. . . .

Upon ye debate of a difference betweene Capt Thomas Richards & the Churchwardens of Warwicke & Pagetts Tribes, concerning ye Gleabe Land belonging to ye Tribes aforesaid, Capt Thomas Richards desired ye opinion of ye Governor & Councell Concerning an Order of the Honoble Companys, bearing date Tuesday ye 2nd November 1669.

Cornelius Whites Secretarys opinion of that order is, that the benefitt of itt is for the Ministers Widdow wheresoever she dwells.

The opinion of the Governor & Councell, except before excepted, is, that ye benefitt of that order is only for a widdow of

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a minister living in these Islands after the decease of her husband, and not for a Ministers Widdow that is in England or elsewhere.

4. At a Councell Table 23rd December 1673.

. . . .

(1) Ordered that it shall be putt fforth in the proclamation that ye Justices verball Order upon ye Kings businesse to any Constable shall be sufficient power for them to Act.

(2) Ordered concerning Edward Pearman: that ye said Edward Pearman be taken out of ye prison, and tied to ye whipping post, and his haire cutt off, and made Infamous, haveing fformerly bin bound to his good behaviour, yet notwithstanding hath broken ye same in a grosse manner in abuseing ye Kings Officers, as Mr William Peniston Councellor did signifie, wch punishment of cutting of his haire & tying to ye whipping post, was executed upon him ye 23rd day of December 1673.

5. At a Councell Table 24th December 1673.

The Governor & Councell having severall Negroes presented to them by ye Grand Inquest as Guilty of a Daingerous plott, they passed their Judgements as followeth.

Sir John Heydon Kt & Governors opinion is, that every Master or Mistresse of ye Negroes now in hold for a Daingerous Intention, that every such Master or Mistresse shall give to the next Justice of peace, Security for ye Kings peace, and shall enter into a recognizance to our Soveraigne Lord the King for ye double value of ye said Negroe, that ye said Negroe or Negroes shall not molest, disquiet or trouble ye peace of his Maties Liege people, and if ye Masters or Mistresses shall refuse to give such securitie, the said Negroes shall be remanded to prison again, and sold to make Satisfaction. As also it is my opinion that ye Negroes shall not be tryed by a Councell of Warr. And in regard their is noe blood shed, tho' a daingerous plott, I doe Judge ye principall of them to be carried to ye Galloes & their tied, and burned in ye fforhead with ye letter R,[1] and ye rest whipped and sent home.

Cornelius White Secrett: opinion is, that as ye Grand Inquest hath found ye Negroes Guilty, so they should be tryed by a petty Jury, And ye Confession of ye Negroes against themselves, they that have Confessed themselves Guilty of ye Conspiracie, their Confessions shall be witnesse against them, and noe other Confession one against another, because they are Incertaine.

Mr Thomas Lecrayfts opinion is, that ye Negroes shall be burnt in the fforhead and whipt, and so sent home, & the Master or Mistresse of the said Negroes to give in Security for y^{e} Kings peace, and if they refuse, to remaund them to prison againe, & to sell them for y^{e} Charge within a Moneth after their deniall of Security.

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[1] Probably for 'Rogue.'

M^{r} Thomas Woods Judgment, that these Negroes now in Goall should bee Tryed by a Councell of Warr, and that their Confession shall be good evidence, and likewise Black to Black shall be good evidence one against y^{e} other.

M^{r} William Peniston, M^{r} Henry Moore, Capt John Hubbard, Capt Richard Wolrich, and M^{r} Anthony Jenour Sherrife of y^{e} same Judgement as M^{r} Wood.

M^{r} John Wainwright Judgement is that y^{e} Negroes now in hold should be Tied up to y^{e} Galloes with their toes touching to y^{e} ground and burnt in y^{e} fforhead, and remaine in prison till their Masters put in Security.

M^{r} Henry Tucker y^{e} same with M^{r} Wainwright only this more, if in case y^{e} Masters will not put in Security within a Moneth, then to be sold.

So y^{e} Maior vote being to be punished without a Trying of y^{e} Negroes by a Councell of Warr, it was ordered thereupon as followeth.

Ordered that Robbin at M^{r} Bonds, Argee at M^{r} Norwoods, ffrank at Capt Stowes, Kitt at M^{r} Squires, Hercules at M^{r} Wentworths, Tom at Capt Darrells, to be stigmatized in y^{e} face with an hott iron, & their Noses slitt, & whipped; and y^{e} rest of y^{e} Negroes Stigmatized and whipt, and all y^{e} said Negroes are to be executed on ffryday next, at y^{e} bottom of y^{e} Laine where they intended the plott, for wch cause a Gybitt is to be erected, and y^{e} two Negroes that rid ye horses are that day to ride upon the said Gybitt.

Ordered that y^{e} Master or Mistresse of every such Negroe as have bin now in hold, shall beare y^{e} charge of y^{e} said Negroe.[1]

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[1] Should any reader be shocked at the apparent barbarity of these sentences, especially any coloured native of Bermuda, whose remote ancestors may have suffered under them, he may be reminded that, as compared with the cruelties frequently practised upon negro slaves in the West Indies, the punishments inflicted in Bermuda were moderate in degree, and the condition of the coloured race one of exceptional wellbeing. It was a humane provision of the French 'Code Noire,' promulgated in 1685, which permitted masters, when they considered that their slaves deserved punishment, only to chain them and flog them with rods or cords, prohibiting putting them to torture or mutilating their limbs. Nevertheless, it is known that these restraints were nearly inoperative. Slaves striking free persons were to be severely punished, even with death. Predial thefts were punished with flogging and branding with a fleur-de-lis. English slaves had not even the protection of such a code until long after (in Jamaica, 1788–1792). We meet with few severe punishments, and no revolting cruelties, in the history of Bermuda.

The term mustee = mestize or mestizo, having been frequently used without comment, it may be here explained that there were four degrees of colour—black;

6. At the Assizes December 1673.

. . . .

(1) Upon y^e Grand Inquest presenting as their earnest request unto y^e Hono^{ble} Governor Sir John Heydon and his Worshipfull Assistants, the great necessitie in these Islands of an able Phisitian and learned Schoolmaster, and that their desires therein might be presented to y^e Hono^{ble} Company for Supply. Allowed by y^e Court.

. . . .

(2) Upon y^e Grand Inquest presenting a daingerous well in Richard Potters land that hee holdeth near y^e Com̄on path, without Cover or Curb, Ordered that y^e said well bee forthwith amended by surrounding it with two ffoote of stone in depth, and a curb upon it, cover to cover itt, or else to stop it upp. And that M^r Thomas Wood Councellor See it performed.

. . . .

(3) Upon y^e Grand Inquest presenting y^e tying of Cattle, Sheep, hoggs & horses and all other creatures acrosse y^e paths of this Country in the night time. Ordered for remedy of this, that such Servant as ties his Masters or Mistresses Cattle, Sheep, hoggs &c., in y^e night time, so that they may reach acrosse y^e Com̄on path, such Servant being legally Convicted thereof shall be whipt for his said offence.

7. Orders for y^e Suppressing the Insolencies and abuses of y^e Negroes, to be reade in each parish Church of these Islands once every Quarter.

Impri^s That all persons being his Ma^{ties} Subjects that shall finde any strange Negroe or Slave in his family or in any part of his or their ground not being the habitation of their Masters or Mistresses, without a Ticket from their owner or Master, the said person or persons shall have full power to apprehend & seize any such Negroe or Slave, and if he have ability may give him sufficient Correction with rod or whip for y^e first offence, and in case of offending the second time, shall so whipp him againe and cut off a piece of his ear, and in case of offending the third time to whipp him severely againe for y^e said offence, and to brand him with y^e Letter R in y^e fforhead; and if after this hee shall yet prove Incorrigible, that he shall be forthwith

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half-black or mulatto; quarter-black or quadroon; one-eighth black or mustee. The offspring of the mustee and white were white by law (see Bryan Edward's 'West Indies,' vol. ii. p 16). White parentage on one side is supposed in each case.

Comited to y^e^ Comon Jayle & to be punished as y^e^ Governor & Councell shall think fitt.

2^ly^ And all persons that shall not put this Law in execution, or shall be found wilfully remisse therein shall have such Penalty inflicted upon them as y^e^ Government shall think fitt.

3^ly^ That noe Negroe or Slave shall be suffered to goe out of their own parishes where they dwell on y^e^ Lords day unlesse in y^e^ Company of their Masters or Owners.

4^ly^ That noe Negroe or Slave shall passe or repasse in y^e^ night out of his Masters Plantation unlesse that he have an especiall Tickett from his Master that expresseth a Necessitous occasion.

5^ly^ That where above the number of three slaves, not being of y^e^ same family shall meete to talk & consult together, they shall be imediately apprehended and whipt severely.

6^ly^ That noe Master or Mistresse shall allow to any Slave a patch of ground to plant Tobacco for his owne use, or to be at his disposing, upon y^e^ forfeiture of one Hundred pounds of Tobacco.

7^ly^ That noe negroe or Slave shall be suffered to have any kind of Trade or Comerce within these Islands with any merchant, or other man or woman for any money or Comodity whatsoever. And if any man or woman shall be knowne or found soe trading as aforesaid Contrary to the true Intent hereof they shall forfeite treble y^e^ value of y^e^ Comoditie they soe traded for.

(Signed) J. Heydon.

8. A Proclamation by Sir John Heydon K^t^ and Governor 10 January 167$\frac{3}{4}$.

Whereas nothing doth more conduce to y^e^ peace & happinesse of anie Kingdome or State, then y^e^ true worship of God, and y^e^ observation of the good and wholesome laws istablished, it being y^e^ duty of all Magistrates & other Officers to take care that the people Comitted to their Charge live in obedience & Conformity their unto. In Consideration whereof, myselfe and Councell have thought good that y^e^ orders at y^e^ late Assizes made, together with former orders should be published to y^e^ Inhabitants of these Islands, that none may plead ignorance. And forasmuch as divers heathenish Negroes belonging to private Persons, have by examination & y^e^ Mutuall impeachment of one an other, bin convicted of a Barbarous and bloudie designe, tending to the destruction of this plantation. And under pretence of ffreedome, wch assuredly they cannot mend in anie part of the world: wch plott (through Gods mercy) being timely discovered & prevented, the malefactors have bin imprisoned & sentensed to suffer y^e^ punishment of Slaves, and afterwards being returned to their severall Masters & Owners. It is Ordered by my selfe and Councell for y^e^ better Securitie & Satisfaction of y^e^ Inhabitants, That y^e^ severall Masters & owners of y^e^ said Negroes that suffered, should acknowledge to our Soveraigne Lord y^e^ King, before the Justice of the Respective tribes, A Recognisance to y^e^ value of such their severall Negroes so long as they shall keep them, That their said Negroes shall not Com̄it anie Act or Acts to y^e^ preiudice of y^e^ Kings Ma^ties^ Peace, or of anie of his good Subiects in their persons, families, goods or plantations. And because (since that) I have bin Informed that some disorderly ysons, doe threaten those Negroes being stigmatized for their wicked intentions, to ripp them upp, or otherwise to kill them at their pleasure. I would have such persons to know that such a bloudy fact is against y^e^ Law of God & y^e^ King, they may reade in holie writt that Caine murthered his brother Abel, upon whome God sett a marke that none might slay him. Likewise a Law made in y^e^ 5^th^ yeare of Queene Elizabeth Chap 1: That none should murther a person attainted in a premunire, wch: had formerlie been practized as against persons outlawed & out of y^e^ Kings protection, but better things are to hoped for from good Christians & good subiects. And that so long as those Negroes demeane themselves soberly & honestlie in their Masters imployments, & live in obedience to y Laws & orders of this Government, they should rather incourage & com̄end them, then in anie sort molest, vex, or trouble them. And because the Law is but as a dead letter except put in execution.

These are therefore to require all Councellors & Justices to see to y^e^ execution of y^e^ orders herewith sent, and all other good Lawes. And that they take a strict Accompt of all Churchwardens, Constables, headboroughs & other Inferiour officers, once a moneth at least, what Sabbath breakers, Retailers of Strong Liquors w^th^out Lycence, And what idle persons, or children fitt to be bound apprentises they know off, and in case any Justice be thereby informed of anie matter fitt to be reformed, that they deale their in according to Law, not sending them to S^t^ Georges when as they have power to doe Justice at home in their owne Tribes. And I doe in the Kings Ma^ties^ name hereby strictly Charge & Comand all manner of persons to keep and observe y^e^ Laws & orders now & heretofore published. Giving due respects to the Magistrates sett over them for good, and that they live in love and peace one with an other, that the God of Love & peace may blesse us with peace inward & outward. God save the King. Given under my hand this 10^th^ January 1673, together with the publique seale of these Islands hereunto affixed.

(Signed) J. HEYDON.

9. At a Councell 23rd January 167$\frac{3}{4}$.

. . . .

(1) Upon the Complaint of Capt John Hubbard against Thomas Stowe, John Asken & John Stirrup for haling ffish in their Creekes, without their Lycence & Lyberty. Upon their acknowledgement & sorrow for their offence they were acquitted, and thereupon ordered that ye Kings Law concerning prohibition of haling ye Spawn or frie or brood of any sea fish should be published, and that whosoever shall transgresse there in for ye future shall pay according to ye fine assessed in ye Law, wch is ye forfeit of ye Netts & ten shillings in money.

(2) Upon a Petition of Hammond Johnsons concerning his having part of ye Rents of ye school Lands, as formerly he hath enioyed. Whereupon it was obiected that ye earle of Manchr had sent a letter to stopp ye payment of them in that kind. Whereupon it was put to ye Court, whether ye perticular order should be followed, or ye Companies order that had ordered those Rents to be for ye Incouragement of ye Schoolmasters, and ye result of ye Court was that ye Companies order was to be observed before a perticular order: While ye Company themselves were pleased to order it otherwise. And thereupon ye Sherrife ordered to pay ye petitioner as fformerlie.

10. At a Councell 26th March 1674.

(1) The Honoble Governor propounded the occasion of this meeting to be for this end, to Consider of some what ye Assembly had offered to himselfe & the Councell to Consider off: but in regard severall persons waited about ye businesse concerning their Negroes, it was thought expedient to begin with that first, and thereupon John Argent and John Jones haveing by order of ye Government bin employed in going into ye Country to and ffro for the gathering together of ye Negroes accused of a Bloody Designe, and their sending to St Georges: was allowed 10 shillings a piece for their extraordinary paines.

As also those persons that watched the Negroes in hold allowed 12 pence a night for watching, and the Guard that went with ye Sherrife for ye securing ye Negroes to ye place appointed for their punishment allowed 12 pence a day.

The Sherriffe Mr Anthony Jenour propounded to ye Governor & Councell what allowance he should have for his extraordinary paines & trouble in going into ye Country to see ye punishment inflicted upon ye said Negroes.

Secretary allowes 25s, Capt John Hubbard, Mr William

Peniston, M^r^ Henry Moore & M^r^ John Wainwright as y^e^ Secretary.

M^r^ Thomas Wood, M^r^ Jonathan Turner ffiue & ffourty shillings, that is 3^d^ apiece for every Negroe being 15 Negroes. Capt Richard Woolrich 30 shillings, and M^r^ Henry Tucker 5^d^ a Negroe. Sir John Heydon K^t^ & Governor as M^r^ Wood & M^r^ Turner, wch with y^e^ Governors priviledge of two Votes & a Casting made it equall, whereupon it was concluded by y^e^ whole, that y^e^ Sheriffe should be allowed two shillings for every Negroe.

Ordered that every Master or Mistresse that hath had a Negroe in y^e^ late Conspiracie shall pay y^e^ resonable Charge assessed by y^e^ Governor & Councell, or upon their refusall, the Councellor of y^e^ Tribe is to send y^e^ said Negroes to y^e^ Goale, their to remain while y^e^ Masters or Mistresses doe pay y^e^ said Charge.

Upon a Debate concerning y^e^ Masters or Mistresses giveing in Bond for their Negroes keeping y^e^ Kings peace, it was put to y^e^ question, whether they should or not. The Secretary, M^r^ Peniston, Capt Hubbard, M^r^ Turner, M^r^ Wood, Capt Wolrich & the Sherriffe of opinion that y^e^ Masters of y^e^ Negroes & Mistresses may be discharged from giveing in a Bond for secureing y^e^ Kings peace in behalfe of their Negroes, upon this Reason, that y^e^ Master will be afraid to correct his servant, because the Negroe may doe a Transgression apurpose to make his Master forfeite his Bond.

M^r^ Henry Moore opinion is that either y^e^ Negroe should be secured in Goale, or else y^e^ Master should give in Security for them.

M^r^ John Wainwright, M^r^ Henry Tucker, and his Honor that y^e^ Masters should enter into a Recognizance to secure the Kings peace to all his Ma^ties^ Liege people in y^e^ behalfe of their Negroes, and that for this Reason, that wee are not to surmise things that may follow to hinder us ffrom securing y^e^ peace, the Governors Reason.

. . . .

(2) Whereas there hath bin an Act made Concerning ffree Negroes, that they should not remaine in these Islands after their ffreedom unless they did oblidge or put themselves in service to some of y^e^ Inhabitants of these Islands. Ordered, that all ffree Negroes within these Islands, That will not put themselves into y^e^ Servitude of some one or other of the Inhabitants, shall forthwith depart these Islands.

11. At a Councell 30th Aprill 1674.

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The Governor Sir John Heydon Kt propounded the occasion of ye meeting this day is upon a ship named ye Elephant, Comānder thereof John Kingsland, come into ye Castle Harbor from England and noe order from ye Company about her, but here is a Letter from his Matie Directed to myselfe that I desire your advice in.

Upon ye reading of wch Letter, together with a Copie of ye same sent unto Mr Samuell Trott, it was put to the question, whether ye Copie of ye Kings Letter be a true Copie. Ye Generall vote is, it is not a true Copie.

Memorandum that ye Copie of his Maties Letter to the Governor of Bermoodas in ye behalfe of Mr Perient Trott, varyes from the Kings letter sent to Sir John Heydon Kt and Governor (bearing date the 24th day of October 1673) in these words (and ye same be not contrary to ye rules of ye said Company) inserted in ye Kings letter, but wholly left out in ye Copie of ye Kings Letter presented by Mr Samuell Trott Gent: to ye Governor & Councell, and signed by Tim: Brigge Notary Royall as a True Copie, and their unto hath affixed ye Notoriall Seale: In Testimony also of ye truth of ye same: they haveing bin compaired & examined before ye Governor & Councell ye 30th day of Aprill 1674: doe give their Assents to ye said variation to be a truth.

Somer Islands alis Bermoodas

Upon Examination of this Copie before ye Governor & Councell in ye Somer Islands with ye Kings Letter, its found to be a false Copie, their being lefte out of the Copie these materiall Words (and ye same be not contrary to ye Rules of ye said Company) wch is inserted in ye Kings Letter.

Signed by order of ye Governor & Councell
ye 30th Aprill 1674.
Cornelius White Secretary.

After the aforementioned Debates, it was moved that Mr Samuell Trott might be sent for to know what it was that he did desire by Vertue of ye Kings Grant in ye said letter to his ffather Mr Peryent Trott. And Mr Samuell Trotts request was, that he might have lyberty to Ship off his Tobacco, according to ye Kings Grant, in ye aforesaid Shipe.

Question Whether Mr Samuell Trott might have liberty Graunted to ship his Tobacco by Vertue of ye Kings Graunt or not in ye Kings Letter.

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Cornelius White Secretaryes opinion is, that in regard of y^{e} expression in the said Letter and the same be not Contrary to y^{e} Rules of the Company, unless M^{r} Trott hath Lycence from y^{e} Company for y^{e} shiping of the Tobacco, their rules ffrequently prohibiting y^{e} letting Tobacco be exported out of y^{e} Islands by any ship or ships but such as have lycence from them soe to doe: he judgeth not. M^{r} John Wainwright as y^{e} Secretary: M^{r} Henry Durham not any Lyberty.

M^{r} William Penistons opinion is, that M Samuell Trott may have Lyberty to carry of y^{e} Tobacco, he securing y^{e} Companies Duties, Capt John Hubbard, M^{r} Jonathan Turner, M^{r} Thomas Wood y^{e} same as M^{r} Peniston, only adding securitie for y^{e} Kings Duties. Capt Wolrich y^{e} same.

M^{r} Anthony Jenour Sherrifes opinion, he cannot give his Consent to M^{r} Samuell Trotts carrying away of Tobacco of y^{e} growth 1673, for this reason, because he hath written to y^{e} Company that their is a Considerable quantitie of Tobacco, and if they should send a ship upon those Lines and the Tobacco gone, the Company might be damnified by it. 2$^{ly.}$ he conceives that y^{e} Kings Grant in his Letter to Sir John Heydon in the behalfe of M^{r} Peryent Trott, gives Lyberty to carry his goods not contrary to the rules of the Company, and y^{e} Company have given severall orders to restraine carrying away Tobacco in any other ship but y^{e} Magazeene Ship, and this ship haveing noe Order from y^{e} Company for y^{e} taking in of Tobacco, therefore conceives the Kings Letter doth not give Lyberty for y^{e} taking in of Tobacco, it being contrary to the Rules of y^{e} Company.

Sir John Heydon K^{t} & Governors opinion M^{r} Samuell Trott doth desire he may have Lyberty to transport Tobacco by virtue of y^{e} Kings Grant in his Letter, it is thus. I suppose M^{r} Peryent Trott to be a Petitioner to y^{e} King for that Grant which he hath in y^{e} Kings Letter, and M^{r} Trott being a Member of y^{e} Company the King did condiscend to his petitioner that he might have Lyberty to Transport his goods provided the same was not contrary to y^{e} Rules of y^{e} Company; the said Mr. Trott haveing had a hand in making many Orders to prohibit y^{e} carrying away of Tobacco in any ship but y^{e} Magazeene ship. I doe conclude there is noe Lyberty by y^{e} Kings Graunt for y^{e} carrying of Tobacco contrary to y^{e} Companies Order.

ffirst. Upon Debate of M^{r} Samuell Trotts proposall to carry away Tobacco according to y^{e} Kings Graunt in his Letter directed to Sir John Heydon K^{t} & Governor, bearing date y^{e} 24th day of October 1673, it was Voted in the Negative, because Lyberty granted to carry Tobacco without Order from y Company is contrary to y^{e} Order of y^{e} Company & y^{e} Grant of y^{e} Kinge.

2ly Mr Samuell Trott proposed to ye Governor & Councell that he might have Lyberty to Ship the Tobacco of ye growth of 1672 that Capt Jenkins refused to carry: wch request is according to ye Companies order Granted, that any ship might have Lyberty to carry such Tobacco as ye Magazeene ship could not. The result of ye Councell is, that Mr Samuell Trott may have Lyberty to carry away Tobacco of the growth of ye yeare 1672: provided he shipe noe Tobacco of ye growth of 1673. And in case it shall appeare that any of ye Tobacco of ye growth of 1673 shall be shipped, it shall be forfeited according to ye rules of ye Company.

12. At a Councell 4th June 1674.

. . . .

Upon A Complainte of ye Churchwardens of Pembrook Tribe that their Church was prejudiced by keeping schoole in ye said Church, & they were resolved according to their oathes that they would shutt upp ye Doores in order to ye preservation of the Church, & to that end to take away ye occasion, yet so as ye Children might not be left destitute of a place to be taught in, desired that favour of Sir John Heydon Kt & Governor, that ye parrish might have Lyberty to erect a roome for that purpose to keep schoole in, upon ye schoole land in Pembrooke Tribe, to wch Sir John Heydon Kt & Governor Condisended, with this proviso that Mr Thomas Wood, Mr Henry Moore & Mr Jonathan Turner Councellors should view ye place & order ye Dementions. The parrish building ye said schoole house with their owne Timber & upon their owne Charge.

13. At a Councell 30th October 1674.

(1) Upon ye Motion of Mr Anthony Jenour Sherrife for ye Tryall of ye Guns at the fforts and Castles that are suspicious not to bee Serviceable, ffrom a disaster that lately fell out at ye Mount, Occasioned by ye Approach of three vessells or shipps comeing in sight, ye said Gunn at ye Mount, being Charged & Discharged with an Intent to raise an Allarum, splitt at the discharging and killed ye Mount Keeper. Ordered that all Gunnes, either at the fforts or Castle that are suspected to bee unserviceable by ye Sherrife, or ye Commanders of the fforts or Castle are to be Tryed, according to their Discretion on ye ffith day of November 1674, by being double charged & fired.

(2) Upon ye Motion of ye Sherrife whether he should gett a Gunn in ye Roome of that that was splitt upon ye Mount, to supply ye place of ye said Gunn. Ordered that ye Sherrife, if he

have ever a one that is fitting for that use, shall cause it to be carryed up y^e Mount & there placed. And in case their bee noe Gunn in his Custodye, then to buy one when their presents an opportunitie.

(3) Upon M^r John Jennynes attempting to sayle by Smiths and Pagitts fforts ffrom these Islands in y^e shipp Sea fflower, without the Hono^{ble} Sir John Heydon K^t & Governors dispatches to shew unto y^e Commanders of y^e ffortes. The Co̅mander of Smiths fforte haveing ffired a Gunn at him, to stop him, The Question was putt to y^e Court, Whether M^r John Jennynes should pay for y^e shott that hee occasioned to bee shott at him by endeavouring to goe out of y^e Harbor without his dispatches. And what hee shall pay, whether ffive pounds or what, & to whome.

The Secrett: that John Jennynes shall pay for y^e shott 6*s* 8*d*. M^r Lecrayft 20*s* for y^e shott & y^e Contempt of y^e Governor, M^r Turner, M^r Wood, M^r Durham that he shall pay nothing, in regard he had paid for the Dispatches, & could not have them.

Capt John Hubbard, Capt Wolrich, the Sherrife and the Governor, that he should pay for y^e Shott a Noble, and pay it to the Sherrife.

14. At a General Court held for the Somer Islands Company at Sadlers Hall in Cheapside London on Monday the 21st of September 1674.

Whereas this Court is given to understand that M^r Perient Trott a member of this Company hath refused and still doth refuse to pay the Company the duties for a considerable parcel of Tobacco imported hither in the Ship Elephant, Robert Kingsland Commander: and for other parcels of Tobacco in several other ships at several times imported by him the said Perient Trott, the duties of which amount unto in the whole Two hundred forty nine pounds six shillings and four pence. It is therefore ordered by this Court that the said sum of Two hundred forty nine pounds six shillings and four pence be levied upon the Goods and Chattels of him the said Perient Trott which shall be found in the said Islands in the hands or possession of any his Tenants, Agents, Attorneys, Factors or other person or persons whatsoever. And in case sufficient of Goods and Chattels of him the said Perient Trott cannot be found in the said Islands to satisfy the aforesaid debt of Two hundred forty nine pounds six shillings and four pence, that then the Sheriff do seize and extend the lands of the said Perient Trott in the said Islands, and the same together with the profits and emoluments and every of them to detain for the use of the Company until the aforesaid debt of Two hundred forty nine pounds six shillings and four pence be fully satisfied and paid.

15. The Company to the Governor and Council, Sept. 21, 1674.

Gentlemen

Wee haue received your Generall Letter bearing date in the Somer Islands the 5th Sept 1673 Togeather with a paper conteyning (after many unmannerly not to say Reproachfull and false reflections upon the Company and o^r^ last Generall Letter to you) Seuerall pretended Acts of an Assembly to w^ch^ Generall letter wee haue hereafter sent you an answeare but what answear to send vnto y^r^ said other Paper wee know not, and were it fitt to bee passed ouer without a seueare and deserued reproofe wee think y^e^ paper itself deserues no answear att all, for you must giue us leave to tell you that wee cannot look vpon any of them as acts of an Assembly nor vpon that Assembly itselfe as a Lawfull Assembly, for although it bee true that wee did by our last Letter write to you o^r^ Deputie Gouernor and Council to conueene an Assembly, yett it must be intended that that Assembly should be regulated by y^e^ Lawes of y^e^ Company in that behalfe, of w^ch^ wee are not willing to presume you ignorant But whereas by y^e^ 140th Printed Law the whole Assembly of Gouernor and Council and Representatiues ought to sitt and meet together in the same place in one entire bodie, in w^ch^ Assembly the Gouernor ought to be President, to moderate the Assembly, and by the 160th Law the Secretary is in all generall Assemblies to hold the place of Speaker and to keep a register of all Acts passed Wee are given to understand in this pretended assembly the Gouernor and Council mett and sate by themselues and the representatiues by themselues, and it appears by y^r^ Paper that the Representatiues chose a Speaker amongst themselues and a Clerke to themselues not only without Authoritie but expressly against the Law, and w^ch^ is worse that the said votes and Acts did neuer pass the solemne and particular examination and debate of you the Gouernor and Council, but only that in conclusion they subscribed their hands to the said Paper in generall when brought vnto them rather as witnesses that those were the acts of the Representatiues than as Law makers themselues, ffor w^ch^ reasons wee must tell you wee cannot looke upon that convencon but rather as a confused meeting than a regular and well ordered Assembly, and though some of the pretended Acts, if they had beene regularly made, wee should haue approued and confirmed as to the intent of them; yett others of them are such as directly tend to the vtter

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overthrow both of the Company and of the country soe wee think you are much mistaken when you preface the said paper as *prompted by your* hearts to yᵉ glory of God, the honor and interest of his Maiesty, due respects to the Company, and *the welfare* of the said Plantacon. Wee cannot but wonder to what end you have transmitted that paper to us vnless it were to honor vs soe farr as to lett vs know what your will and pleasure was, for all though itt be truely the Law of the Company that empowers a Generall Assembly in the Island—noe Lawe or orders *made by* you are of further force or validity if they receive not confirmation in a Quarter Court held here *yet* you do not by all that paper propose them to vs for our desire or confirmation of them Except only the first against Atheists, Swearers, Drunkards &c which wee haue the more reason to think was purposely *done* and that you did not desire or expect any concurrence or confirmation of them, for that wee find by the said paper that you haue taken vpon you the boldnes not only to make such lawes as *never* were attempted before, but contrary to all Lawes and the practice of your predecessors, to publish them, or att least cause them to bee published in yᵉ generall Parish Churches of yᵉ Island What can it speak lesse (although most vntruely) than that you have the sole power of making Lawes without vs: besides if you had minded or vnderstood the Law by wᶜʰ the Assembly is constituted, you might have found (as by perusall of your sᵈ Paper wee doe) that you have taken vpon you to Acte in and about severall things wᶜʰ belong not to an Assembly in the Island to intermeddle with. Wittnesse amongst other things your pretended Acte for taking away of duties. You might as well have said, for taking away of yᵉ Company—and who is it who payes those duties but the trading parte of the company and not you: and who is it hath the benefitt of those duties, not the company but you: and how haue they been expended but for the maintainance and benifitt of yᵉ Islands, and not otherwise for yᵉ aduantage of the Company Wee could wish wee had no cause to blame you the Gouernor and Councell in suffering things to be soe carryed on in yᵉ said Assembly, for to what purpose is the power of a negative vote in all Generall assemblies given to the Gouernor solely, and to the councell coniunctiuely, yf not that you might be then enabled to putt a timely stopp to such irregular or tumultuous proceedings yf any should bee attempted as tend to create or foment any difference betweene yᵉ Company and Country or to yᵉ preiudice of either yf any pson would haue been extravagant or attempted to vndermine Gouernment: Itt was in yoʳ power to haue hindered the passing of such things into an Act, or if cause had been to haue dissolued the said Assembly rather than to haue suffered such things to haue broke out into a flame, but wee being willing rather to bring Water to quench than oyle to Inflame and Increase y^e^ same shall say noe more, though the nature of the transaccon and y^e^ generall consequences that are in y^e^ wombe of itt require much more, wee being desirous of nothing more then to mainteine as much as in vs lyes a right vnderstanding betweene the Company and country w^ch^ cannot any other way be soe probably attained as by your doeing of your duties there and wee ours heere, and by yo^r^ and our ioynt & vnanimous discountenanceing of such persons as shall by priuate wisperings and other vnder artifices endeauour to breede discords betweene vs. And our hope and desire is, yt wee shall not henceforth haue cause giuen vs to write any more vnto you in this manner wch wee may truly say is more necessary then pleasing vnto vs Wee shall only adde this that where as yt should seeme by the said Paper that the sd pretended Assembly adiourned themselves from tyme to tyme (by what Law wee know not) our will & pleasure is yt you doe speedily after the receipt heereof dissolue the said Assembly yf the same bee not already done.

You take notice that our last Generall letter you receiued from vs was without date and onely with six hands to itt, w^ch^ was occasioned (as wee are informed by o^r^ Secretary) of the suddain taking of it out of his hands and y^e^ speedily sending of it away.

. . . .

And now since it hath pleased God to give us the blessing of Peace againe, wee have according to your desires & our fformer Law made for y^e^ purpose, taken all due care for y^e^ sending of a Magazeene shipp in such due and convenient time as may be most for y^e^ Advantage of y^e^ Plantation, and have entertayned the good ship the ffortune of London, burthen 300 tuns & upwards, Capt Mathew Norwood Comãnder, as our Magazeene shipp for this yeare. Wee have Authorized him to take in all the Remaynder of y^e^ Cropp of y^e^ yeare 1673, and this present yeare 1674. Shee is by Chr̃e party to stay ffortie dayes and noe Longer in your Harbor to take aboard her lading And wee doe will and require you our Governor and Councell, Sherriffe and all other our officers that you be Aydinge & Assisting there in that you shall not p.mitt or suffer upon any p.tence whatsoever any shipp or shipps to take in any Tobacco at the s^d^ Som̃er Islands, untill y^e^ said ship ffortune shall be first fully Laden, nor that any goods of the s^d^ Island shall be reserved for any ship or ships, other then what y^e^ Magazeene ship shall not bee able to receive. And if itt soe fall out that y^e^ s^d^ Magazeene shipe shall not bee fully freighted by y^e^ Cõntrivance and private designes

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of some selfe Interested persons who may probably have sent over into y^e^ Islands a vote of y^e^ generall Court of y^e^ 29th Aprill 1674, whereby any member of y^e^ Company is permitted to send a ship or ships into y^e^ Island, and to take in goods. Wee doe will and require you that you doe not pmitt or suffer any Tobaccoe to be shipped on board any other shipp or shipps whatsoever after y^e^ departure of this our Magazeene shipp, untill y^e^ arrivall of some other ship or ships with Comission from this Company, fforasmuch as y^e^ aforesaid vote was upon a full & serious debate of y^e^ Matter in a full Generall Court held heere the Twenty fifth of August last past, found not onely to be inconsistent with a Magazeene shipe & promoted onely for y^e^ private designes of some particular members, but was against y^e^ Generall Interest both of Company and Country in the many ill consequences of itt necessarily tending to y^e^ very great preiudice, if not ruine of both, for which, and severall other weighty reasons, as alsoe for that y^e^ said vote was found to bee directly contrary to y^e^ standing Lawes of this Company then & yet in force & unrepealed, and was Voted, Concluded and declared to bee voyd of itt selfe, and of noe force, and ought not to have beene made, or soe much as putt to y^e^ vote, unlesse the said Lawes had been first repealed, and is therefore absolutely null and voyd in its creation, and doth noe way oblidge the Company in Generall, or give any lawfull Lyberty to any perticular member to send any ship or ships Contrary to y^e^ standing Lawes of the Company as by a Coppie of the said last order, as well heerewh, as by other wayes for more securitie transmitted to you.

Whereas you say you cannot pvent the bringing over of Tobaccoe in a Clandestine manner in private ships by reason some pson or psons of this societie doe order their Agents to send their Tobaccoe home in any ship or ships whatsoever, Wee cannot accept of that as a sufficient excuse. And therefore wee require you that you put in execution effectually the Lawes of this Company heretofore made agst all such persons as shall soe ship or export Tobaccoe or Cedar in any ship or ships save the Magazeene shipe, and that by y^e^ next, you give us y^e^ names of those persons as you should have done.

. . . .

Wee have herewith sent you an Order of Court prohibiting the burneing of any Cedar in the makeing or boiling of Sugars, and wee require the same bee effectually observed, and putt in execution accordingly, And that you give notice by publishing the same in the respective Parish Churches.

. . . .

Concerning y^c^ Spermaceti in y^c^ possession of the Sherriffe whereof wee formerly wrote to you. Wee order you that you cause y^e^ Sherriffe to send it by this our present Magazeene ship the ffortune of London, Capt Norwood Commander, with a Bill of Lading for itt consigned to our Treasurer, for the use of y^e^ Company.

Concerning the two Certificates of y^e^ Hubbards, as also y^e^ Appeales of ffrances Sayle widdow, they were lost in y^e^ Magazeene ship, or at least came not to o^r^ hands.

Whereas Wee formerly ordered that M^rs^ White, y^e^ widdow of M^r^ Nathaniell White should enioy the Glebe dureing her life time, and wee being synce certified of her death, wee doe order that M^r^ William Edwards our present Minister there doe enioy y^e^ s^d^ Glebe and y^e^ Rents & profitts thereof. . . . .

Signed GILB. GERARD.

16. At a Councell Table 24th November 1674.

Upon M^r^ Samuell Trott sonne of M^r^ Perient Trott of London bringing into Court, and shewing his Ma^ties^ Letter, and their upon desiring the Lybertye their in granted to his father. As likewise that if in case he delivered y^e^ same unto y^e^ Court, he might have y^e^ same afterwards delivered unto him againe. Ordered, that if M^r^ Samuell Trott aforesaid will deliver the Kings Letter without makeing termes, it being partly directed to us, then we will receive it & read it; So y^e^ Kings Letter directed: To our Trusty & welbeloved the Governor, Governors Company and Councell of and in y^e^ Somer Islands for the time being, and every of them, beareing date y^e^ 17th August 1674, and presented by M^r^ Samuell Trott to y^e^ Governor & Councell to bee read, and to give their answere to it concerning y^e^ priviledge their in graunted to his ffather aforesaid. The result of the Governour & Councell is, that they with all reverence submitt to his Ma^ties^ pleasure therein conteyned, yett in regard they have had noe Instructions from y^e^ Hono^ble^ Company concerning graunted lybertie to carry or ship away Tobaccoe, they neither will vote a lybertie of the Shipping Tobacco upon y^e^ Ship Elephant, Capt Robert Kingsland Commander thereof, neither will they obstruct itt. Butt leave the aforesaid Perient Trott, his ffactors or Agents to take y^e^ bennefitt of y^e^ Kings Grant.

Ordered likewise that the Kings Letter aforementioned be kept by the Secretary, and not returned againe to M^r^ Samuell Trott, it being in part directed to us. As likewise that y^e^ Secretary may give copies of the Councells result upon it to M^r^ Samuell Trott.

17. A Law for making all Negroes, Indians and Mallattoes that shall be brought into the Island to be fforfeited, and to prevent Conspiracy by them, and that their Testimony in such case shall be taken one against the other. Enacted by the Bermuda Company 1674.

That for p^{r}vencon of y^{e} great Mischiefes & dainger wch: may happen to the Somer Islands belonging to this Company by the great number of Negroes, Indians and Mallatoes the wch: are already upon y^{e} s^{d} Island and dayly are brought thither: And for the hindering the bringeing of any more. And for y^{e} encouragem^{t} of his Ma^{ties} naturall borne Subiects allready there to be painefull and Industrious, and for others to come over and settle in the Island. Be it Ordained & Enacted: And it is by this greate and Generall Quarter Court ordained and enacted, that all and every Negroe, Indian or Mallatoe that from and after the end of six weekes next after the promulgation and publishing of this Law shall be brought or come into y^{e} s^{d} Island to dwell or inhabitt, and shall there reside either as a Slave or Servant by the space of Twenty ffoure houres, shall imediately thereupon be and become the absolute Servant and Slave of this Company, and be seized and taken by y^{e} Sheriffe of y^{e} said Island into his Custody for y^{e} use of this Company to be imployed and disposed of for y^{e} use of this Company, And that the Deputy Governor and Councell of y^{e} said Island shall from time to time send over an Accompt of all such Negroes, Indians and Mallatoes as shall be soe seized, to the end they may receive the order and direction of this Company for their sale & dispossal, and be it further ordained and Enacted. And it is hereby ordained and Enacted, that all such Negroes, Indians and Mallatoes as now are and reside on y^{e} said Island and wch: shall demeane themselves Civilly and live peaceably and quietly and in subiection to y^{e} Governo^{r} and Governmn^{t} of the said Island and to their severall and respective Masters and Mistris, and that without plotting or Contriveing any act, matter or thing to y^{e} Disturbance or preiudice of the s^{d} Island, or y^{e} peace, quiett and Goverm^{t} thereof shall for soe longe time as they shall soe long live in peace & subjection, and as good subiects and Servants, have protection from this Company. And be protected & secured in their lives & limbes by y^{e} Governo^{rs} and Goverm^{t} thereof. But in case any Negroe, Indian or Mallattoe shall appeare, or be found to plott, Contrive, Conspire or attempt any Insurrection, conspiracie, act, matter or thinge against y^{e} s^{d} Island, Governo^{r} or Governement thereof, or against the life, limbe or Estate of any his or their Master or any Inhabitant of or within y^{e} s^{d} Island, or otherwise to y^{e}

disturbance of ye peace and quiett of ye said Island and ye Governor and Government thereof. Then every such Negroe, Indian or Mallattoe, and all others that shall be, or be found in such Contriveance, Conspiracye, Attempt or Insurrection shall be proceeded against according to their severall offences, according to the Lawes, Constitucons and Governmt of the sd Islands in such manner as if every such Negroe, Indian or Mallattoe were a naturall born subject, and being found guilty shall receive punishment in life, limb and body as a naturall borne subiect. And that ye Evidence & Testimony of one Negroe, Indian & Mallattoe against another shall be taken in ye most stricktest and best way & manner for discovery & punishment of every such Conspiracye, insurrection, disturbance or breach of ye peace & quiett of ye sd Island and the Inhabitants thereof.

18. At a Councell Table 7th January 167$\frac{4}{5}$.

The Honoble Sir John Heydon Kt & Governor propounded the occation of this meeting is by Addresse of you Mr Samuell Trott to me, that Capt Mathew Norwood, Commander of ye ship ffortune, had stopt you from sayling out of the Harbor in the ship Elephant, Capt Robert Kingsland Commander, and thereupon the said Samuell Trott desired mee to give him Lybertie to saile, and I tould him I would send for my Councell to consider of itt.

Att ye appeareing of Mr Samuell Trott before ye Governor & Councell, the said Samuell Trott desired hee might have persons that were of his friends to be witnesses to heare what hee offered to ye Councell that soe they might testifie to his ffather in his behalfe. The answere of ye Governor & Councell is, that they thinke itt not convenient to graunt such a proposall.

2ly My desire and Request to ye Governor & Councell is to know when the ship Elephant was upon sayleing a Munday ye 4th day of January 167$\frac{4}{5}$ with a faire winde to goe out of ye Harbor, what was ye reason Capt Mathew Norwood, Commander of ye Magazeene ship, did ffire ffower Guns with shott in them at ye said ship Elephant, And commanded her in the Kings name to come to an Anchor. And in obedience to his Com̄and in his Maties Name, I ye said Samuell Trott ordered the Ship Elephant to come to an Anchor. Capt Mathew Norwood gives this as a reason for his stopping ye said ship Elephant, that by virtue of his Commission Graunted from ye Honoble Company, hee had power to search all shipps that were in the Harbors that had any Tobaccoes aboard them, and understanding that ye ship Elephant had a considerable quantitie aboard of her, hee intended to take it out of her, by virtue of his said Commission,

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but ffinding the copie of ye Kings Letter, wherein his Matie by ye said copie had a Graunt unto Mr Perient Trott, his factors & agents to ship, he would submitt to ye said Graunt, but what ye said ship Elephant had in her of Tobacco above ye Kings Graunt, he would have out of her, and therefore being informed & proved ye second day of January 167$\frac{4}{5}$, there was more Tobacco aboard ye said ship then his Matie Graunted, he stoped the said ship with an intent to seize it and take it out.

Mr Samuell Trott, the reputed ffactor or agent of Mr Perient Trott of London, Merchant, requested of ye Governor & Councell that they would assist him, according to his Maties Letter, in giveing him lyberty without lett or Molestation to sayle out of ye Harbor with the ship Elephant, and that Capt Mathew Norwood, Commander of ye ship ffortune, may be prohibited from stopping ye said ship Elephant Capt Robert Kingsland Commander thereof.

Capt Mathew Norwood Comander of ye Magazeene ship ffortune of London, proposed thus to Mr Samuell Trott before ye Governor & Councell, that if ye said Samuell Trott would enter into a Bond with securitie of ffive hundred pound, that in case the said Capt Norwood did prove either here or hereafter, that their was any Tobaccoe aboard ye ship Elephant of ye Cargoe of ye said ship, that was shipped contrary to ye Graunt of his Maities Letter to Mr Perient Trott, his ffactors or agents, then the said Mr Samuell Trott would pay dead fraight to Capt Mathew Norwood Comander of ye Magazeene ship, his heirs, Executrs & Administrators, according as ye said Norwood is to have of other men shipping upon him p pound, for soe much Tobaccoe as is proved contrary to his Maties Letter, and alsoe to pay ye Companies duties of ye said Tobacco, wch being done Capt Norwood is satisfied to lett the said ship Elephant goe away. And ye Governor & Councell doe prohibit ye ship Elephant, Capt Robert Kingsland Com̄ander thereof, from sayling till Mr Samuell Trott hath given in Bond with securitie accordingly, and in case Mr Samuell Trott refuseth, then ye said Capt Norwood is left to execute the order of ye Second of January $\frac{74}{5}$.

That forasmuch as wee have required securitie of Mr Samuell Trott for ye Companies duties of all ye Tobaccoes a board the ship Elephant, Capt Robert Kingsland Comander thereof: Mr Samuell Trott presenting in barr to itt a writeing signed by Mr William Minors secretary of ye Honoble Company of Adventurers for ye Somer Islands, whereby it was signified that Mr Nathaniell Smith and Mr Perient Trott had offered securitie for ye payment of ye Companies Duties, and that it was done accordingly, therefore though wee have intimation ffrom the Company, that ye

Order of y^e^ Company for every perticular Member to send A ship is repealed, yet haveing noe Intimation of the discharging the securitie ffrom y^e^ Company, wee doe not look upon itt as reasonable to require securitie twice.

M^r^ Anthony Jenour Sherriff dissenting for this Reason, that y^e^ Hono^ble^ Company haveing repealed y^e^ order of y^e^ Company for every or any perticular member of y^e^ Company to send a ship, therefore the writeing signed by M^r^ Will Minors Secretary, concerning securitie is void also. And therefore Judges that they ought to give in securitie here before y^e^ ship Elephant, Robert Kingsland Comander thereof, departs. Capt John Hubbard the same.

19. At a Councell Table 12th January 167$\frac{4}{5}$.

. . . .

Upon the presentment of y^e^ fflatts Bridge being very daingerous for horse to goe over, more especially in rainey weather, their feet being apt to slipp to y^e^ Hazzard of y^e^ Losse both of man and horse. Whereas Capt fflorentia Seymer late Governor and some of y^e^ Inhabitants fformerly hath made agreement with M^r^ Anthony Peniston for repaireing of the fflats bridge, and keeping itt in repaire, that every one that hath a horse, Mare or Gilding, should give y^e^ said Peniston a peice of Eight for every perticular beast: of wch agreement severall have paid their peices of Eight. And thereupon the Governor & Councell doe order that every one that hath not paid M^r^ Anthony Peniston his peice of Eight for his horse, Maire or Gilding as aforesaid shall pay itt. And thereupon the said Peniston shall keep y^e^ said bridge in repaire for horse & ffoot, with his yearly revenue of fforty pounds of Tobacco per Annum. this to bee published.

. . . .

Upon the presentment of y^e^ Grand Inquests Agrevance of y^e^ whole Country, to see severall Thatcht houses adioyning to the Sessions house, wherein lyes y^e^ Amunition for y^e^ Country, and the Records of y^e^ Island, being of daingerous consequence in respect of the hassard that may ffall by ffier, and thereupon craving as a meanes to prevent y^e^ dainger that may ensue thereby, that y^e^ two houses so neare adioyning may either bee shingled or pulled downe.

Ordered, that M^r^ John Bristowe Provast Marshalls house adioyning soe neare the Sessions house bee shingled accordingly, The said Bristow appeareing before y^e^ Councell was reddy to shingle his house provided others would shingle their houses that soe he might not bee burnt downe, and loose his money he had laid out after he had answered the Countries desire.

20. A Proclamation By Sir John Heydon K^{t} and Governor 13 February 167$\frac{4}{5}$.

Whereas att a late Assizes held att S^{t} Georges the 15th December 1674, The Grand Inquest for our Soveraigne Lord y^{e} King have psented divers offences & misdemeanours contrary to y^{e} Laws of God & the King, such as are Sabboth breakers, absenting themselves ffrom y^{e} Publicke Congregation on the Lords day, sinns of uncleanesse, and of Houses retailing Strong Liquors wthout Lycence, being nurseries of Debauchery & disorder, whereof divers persons being found Guiltie, have been Sentenced to fines or Corporall punishment answerable to their Crimes, for y^{e} better execution whereof, I doe hereby wth the Advice of my Counsell require & in the Kings Mat^{ies} Name streightly Charge and Com̄and, All Justices of Peace, Counsellors, Constables & other Officers not to be remiss in pformance of their duties according to Law. By which meanes the growth of Sinn may bee pvented, And Gods Judgments denounced against such offenders (through mercy) may be stayd. Moreover the Inhabitants of these Islands are hereby required to observe these Lawes & Orders of the Company and of the Government here, to witt, ffirst that the Company haveing sent their Magazeene shipp y^{e} ffortune, Capt Mathew Norwood Com̄ander, now riding at Anchor in the Castle Harbour. It is ordered that noe pson wth hold his Tobaccoe to be Carried away in any other shipp upon paine of seizure. And the Merchants having sent a good Cargoe of Necessaries, & encouraged the planter in advancing the price of Tobaccoe, the planters are advised not to discourage them in slighting of their goods by requireing money for their Tobacco rather than Barter, Espetially such as stand most in need of necessaries for themselves & ffamilies, least they bee judged to require monye to be disorderly in strong Liquors, neglecting to stock themselves wth necessaries in tyme, wch cannot be pcured at such easie rates when the Magazin shipp is departed.

2^{ly} To pvent y^{e} damage that may be done by carying lighted Leaves in the night time as necessitie require that some psons should be late abroad about their Lawfull occasions, that they make use of Lanthorne & Candle, wch sober men doe; and as to idle & disorderly night walkers, the Law requires that such be apprehended & carried before some Justice to find Sureties ffor y^{e} good behaviour, or stand com̄itted while they doe. 3^{ly} Upon psentment of the fflatts Bridge. Ordered that every one that hath not paid M^{r} Anthony Peniston his peice of Eight, according to agrement ffor his horse, mare or guilding, shall pay it, and thereupon y^{e} said Peniston shall keepe y^{e} s^{d} Bridge in

Repaire ffor hors or ffoot, with his yearly Revenue of fforty pounds of Tobaccoe p annum. 4^{ly}. Upon y^{e} psentment of Hoggs & Cattle that are soe tied as to reach Cross the Highe way in y^{e} night time. Ordered, that any person finding either hogg, Beast, horse or sheep tied across the path, or so as to reach cross the highe way, may Lawfully cutt y^{e} Rope in peices, y^{e} said pson reserving so much as will just tye the said Creatures soe bound up by the head, & pforming y^{e} same. 5^{ly}. The Grand Inquest psenting the way Wardens in Generall for their neglecte in not causeing the Co͞mon pathes to be kept in good and sufficient repaire. Referred to the Respective Councellors to see the way Wardens cause the Comon ways to be sufficiently repaired, upon y^{e} penaltie of 20^{s} for every one that neglects. 6^{ly}. The Grand Inquest psenting such Inhabitants as shall buy any strong Liquors to Retaile without Lycence. Ordd: that y^{e} Penaltie of 20^{s}, according to his Ma^{ties} Lawes bee put in execution.

7^{ly}. Upon presentment of such persons as sound the Channells Leading to y^{e} Harbours. Ordered that none psume to doe soe without y Governors leave upon paine of Imprisonment. 8^{ly}. Upon Complaint of some of y^{e} Councill touching exportacon of Corne. Ordered that noe pson for y^{e} future Carry any Corne out of these Islands into fforraigne parts, w^{h}out leave and lycence of Governor & Councell ffirst had and obtained. These orders with Advice of Councill, being hereby made publicke tending to y^{e} Glory of God, the Honour of y^{e} King, the good and welfare of y^{e} Hono^{ble} Company & this Country. It is to bee hoped that all good people will give cheerfull obedience thereunto: And as to such as are refractorie & obstinate, they may expect to bee pceeded against as Contemners of Government. God save the King. Given under my hand at S^{t} Georges the 13th day of ffebruary $167\frac{4}{5}$, Together with y^{e} publique Seale of these Islands hereunto affixed.

J. HEYDON.

21. At a Councell Table 2nd July 1675.

[The Governor said]

The occasion of this meeting is to informe you that I have received a Letter from y^{e} Commissioners of y^{e} Customs house, wherein I am Charged high about a ship called y^{e} Providence James ffarmer Master, ffor their going into Ireland, and delivering their Loading their contrary to Act of Parliament. M^{r} James ffarmer & M^{r} William Peniston offered to y^{e} Councell this as a Reason, they were inforced soe to doe by extremitie of Wether, and to make itt manifest they produced a Certificate they had paid the Kings Duties in Ireland, a Protest & a Certificate of a Survey, the result there upon was that these

CHAP. XVI. 1673–1683. papers should bee sent to y^e^ Kings Customers in England by y^e^ next Magazeene ship. And in answer to what his Honour propounded concerning the Hono^ble^ Companies Duties; M^r^ Peniston answered that they had made a very bad voyage of what they carryed, by the storme & their being thereby inforced into Ireland, and thereupon they would peticon the Company to remitt it, butt if their Honors, when they understood the matter thoroughly, would nott remitt the taking of their Duties, then they would pay itt. M^r^ Peniston said likewise, y^e^ quantitie of Tobaccoe they carryed from Bermoodas in y^e^ said vessell was about Twenty ffive thousand or Thirty Thousand pounds.

22. It is not to be supposed that a company, presided over by the Earl of Manchester, then Lord Chamberlain, was without Court influence in the facile days of Charles II., or that Mr. Perient Trott was the only person capable of employing it for his own ends. The letter given p. 386 was, six months later, with equal formality, recalled as follows:—

To Our Trusty and well beloved The Governor and Council in the Sommer Islands alias Bermuda.

CHARLES R.

Trusty and well beloved. We greet you well. Whereas We are informed by the humble Petition of our Trusty and well beloved the Governor and Company of the City of London for the Plantation of the Sommer Islands alias Bermudas, that our Royal Grandfather King James of blessed memory having by his Letters patent granted the Sommer Islands alias Bermudas then uninhabited unto them, with power to make by Laws for the better management of the affairs of the said Company and Colony, the said Islands were thereupon planted and made defensible at the very great charge of the said Company, that they have been and still are at the yearly charge of many Hundred pounds for the maintenance of Officers, Ministers and supply of Arms and ammunition and other necessary expenses for preservation of the said Islands which they have no other way to defray, but by the duty of one penny per pound upon all Tobacco of the growth of the said Islands which hath been imposed by several Laws of the said Company, and from time to time paid, and that by the Charter and by the Laws of the said Company made as well for securing our customs as the said duty to the Company, no member of the Company ought to send any goods into, or bring any goods from the said Islands, but in the Company's Magazine Ships yearly sent by the Company, or by leave from them, for the supply of the Inhabitants with Commodities, and bringing home the Tobaccos from thence.[1] And whereas the said Governor and Company have further humbly informed us, that one Perient Trott a member of the said Company, to the prejudice of the other members trading thither, and to avoid the payment of the said duties, hath contrary to the Laws of the Company and in contempt thereof, of late sent several Ships from hence to the said Islands, and by these and other Ships occasionally coming from thence, hath clandestinely brought over several great quantities of the said Tobaccos, and the better to carry on his said design, hath obtained our Letters, granting Liberty to him his factors and agents, so long as he shall continue a member of the said Company, as the other members thereof are; the said Governor and Company have further represented unto us that all the rest of the trading part of the Company were discouraged, and the Company rendered uncapable of sending a Magazine Ship for supply of the Islands, the Company's duties be unpaid, and they will thereby be utterly disabled either to support the Government or preserve the said Islands there, and having therefore humbly besought us to recall our said orders and Letters. We taking the same into our Royal consideration, and that the said Letters were obtained from us upon misinformation and by surprise, have thought fit to signify unto you, that We have and do by these presents revoke and recall any such our Letters granted to the said Perient Trott, and in particular those bearing date the 17th day of August last: and that any thing in the said Letters to the contrary notwithstanding, he the said Perient Trott to be left to be governed according to the Laws and rules of the said Company, as other the members thereof are, and our will and pleasure is that you and all others whom it may concern, take due notice thereof and govern yourselves herein accordingly. And for so doing this shall be your Warrant. And so we bid you farewell. Given at our Court at Whitehall the 25th day of February 1674 in the seven and twentieth year of our reign

By His Majestys Command,

J. William.

23. General Letter from the Company to Sir John Heydon Governor and the Council of Bermuda Sadlers Hall 12 August 1675.

Gentlemen

(1) We have received your General Letter bearing date the 20th of February last past sent to us by our Magazine Ship the

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[1] See Vol. I. p. 472.

Fortune Captain Norwood Commander and also several other Letters and papers in our box, all which (by the blessing of God) arrived safe with us the 5th of April last unto which we give you answer.

(2) That the second Letter procured by Mr Trott, from his Majesty dated the 17th of August 1674 was obtained in a private manner and upon misinformation and accordingly we have got the same recalled by His Majesty's Letter dated the 25th of February last which we sent by Capt Whaley and likewise sent you several copies of the same by way of Barbadoes and New England which we hope are come safe to your hands, but least they have miscarried we now send you a copy of the said letter attested by our Secretary, of which you are to take notice and give credit to the same letter, and you may assure yourselves that for the future no more private Letters will be granted by his Majesty to Mr Trott or any other for that his Majesty hath been graciously pleased to assure us the same, and we are resolved for the future by the blessing of God to send a Magazine Ship in due time.

(3) We in our last advised you that We had repealed and made void a vote of a General Court of the 29th of April 1674, whereby any member was permitted to send any Ship or Ships to the said Islands and we then sent you a copy of our order of the 25h August 1674 that repealed the said vote, of which we thought fit to remind you and that you permit no private ship but in all things comply with our said order of the 25th of August, And we do hope that what we have done in getting Mr Trotts Letter recalled and the care we have and shall constantly take for the good of the Island will sufficiently satisfy you that all private ships will be and shall be hindered and that no ship shall go but what comes immediately from us.

(4) His Majestys Letter concerning Mr Trott with the Public Notarys copies of the same and your acts of Court and proceedings thereon we received and we could heartily have wished that instead of them you had not permitted Mr Trott to have laden any goods in regard his Letter from his Majesty was obtained upon surprise and did not bring our authority with it, but we hope for the future you will be very careful and let us be acquainted and receive our directions before you comply in any the like cases.

(5) We take kindly the proposal concerning our Magazine Ship and we hope by this time you plainly see that Mr Trott hath been always the obstructor of the Magazine Ship and in all things acted his own private ends and advantage and that you now find that all his pretences have been mere fictions and that the Magazine Ship is most profitable.

(6) We again mind and charge you that you prevent the bringing over Tobacco in private ships, and be very careful and watchful therein and as to the copy of the Letter of Attorney you have sent us for sending over tobaccos in private ships, or any Letter of Attorney to send Tobacco in any Ship you are not to take any the least notice of the same nor of any other Letter of Attorney or authority sent contrary to the laws and orders of this Company unless the authority and dispensation of this Company comes along with it.

(7) You acquaint us of the publication of our order prohibiting the burning of Cedar in making or boiling of Sugar, and that they that have set up such works being Freeholders judge it their privilege to make use of their own to the best advantage and that no man may lawfully enter upon their Freeholds, or attach or seize their goods without due course of Law. We do inform you that no man hath such an interest or property in his own lands goods or Estate with you no more than with us, but the same are subject to the good of the public. And we do charge and require that the Laws we have made for preservation of Cedar and all other our Laws and orders be by you the Governor and Council put in execution and that none of these or the like pretences hinder you from so doing.

(8) We again mind you that it is our pleasure that the Freeholders shall find their own arms themselves, and that you put in execution the order by us made concerning the same and we do wonder that you still write to us for arms.

(9) We do hereby order that by the Return of our next Ship you send us an exact account of all Arms fixt and defective and for the encouragement of the country and that they may furnish themselves therewith at the cheapest rate the Company will upon notice send such arms as they want at the same rate the Company pays for them.

(10) We recommend the safety and security of the Magazine (which we are informed may be in some danger) to you the Governor and Council, and that you take speedy care therein, and that no house be built in the town but what shall be tiled or shingled: and that all the houses near the same be tiled or shingled.

(11) We send you by this our Magazine Ship nine Copper Ladles fitted, eighteen Spunge Staves and Worms, Rammers Spunge heads and Shipknives, twelve iron crows, sixteen claws, for hands spikes, twenty four priming Irons and Bits, Sixteen quire Royal paper, two dark Lanthorns, one pair of Callipers, one Brass Level, one Gunter, one Quadrant, four Lint Stocks, one Stock Lock for the powder room, Three hundred weight of match, twelve drum heads and snaires, two hundred weight of

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musket bullets, ten barrels of Powder, fifty muskets, five hundred flints, two hogsheads of Tarrise, and one barrel of nails, and expect your care in the use thereof.

(12) As to Breretons Rent and the Spermaceti we have received it from the Sheriff but we expected to have found the Spermacetti better.

(13) We still continue our former resolution and order that no dunnidge Kentilledge or fire wood be allowed this our Magazine Ship or any other our Magazine Ships, and we hope you will be as careful in preserving of Timber as you see we are.

(14) The Certificates of the Hubbards we have received and are well satisfied therewith.

We have received the Ship Masters bonds, as for the sending of Transcripts of the Bonds lost: it may be omitted until our further order, but for the future in all such bonds let the places of abode of the persons so bound be inserted in the bonds.

(15) We take notice that you have received the field colours and other things we sent you and hope you will be careful in the use thereof.

(16) We do hope that according to an order in our last, you have made seizure of M^r^ Trotts goods, chattels, and lands, an account of which together with the returns of the produce and profits thereof we expect and require by this our Magazine ship[1] And we do hereby order you that you do not free any of his goods, chattels, or lands until you receive our order for so doing, but that you go on and seize his goods chattels and lands that so we may be satisfied the moneys and duties he owes us, for he is now in the Companys debt near £500. As for the commission you say you have sent us, if the same came to our hands it hath been mislaid by our late Secretary, for we cannot now find any such Commission, for that our order and direction is a sufficient warrant for your seizing and extending the said M^r^ Trotts goods, chattels and Lands, and accordingly we hereby require you to take notice thereof, and you may assure yourselves that what you have done or shall do in pursuance of any the Orders or Laws of this Company, this Company will indemnify you for so doing.

(17) We take well the dissolution of the late Assembly and for their proposals they shall receive such answer as shall be just and reasonable in due time.

(18) As to what you desire in behalf of the Inhabitants that in case our Magazine ship arrive not in your harbour by

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[1] This order is given p. 398. The sum was then £249 6*s*. 4*d*.

the 10th of March, or if she cometh and cannot take in all the crop, then, that liberty may be to ship the said Tobaccos in any ship the rules of his Majesty's Customs, and the Companys duties being observed and secured, we being very willing to comply with the Inhabitants in all reasonable requests do think fit, that the said Inhabitants (in case our Magazine Ship come not by the tenth of March yearly, or if she come and cannot take in all the crop for which she cometh) may (in every such case and not otherwise) have liberty to transport their Tobaccos of the last crop, but not other, to the Port of London and not elsewhere they complying with his Majesty's rules and paying his Majesty's Customs and the Companys duties, and we do leave it to the care of you the Governor and Council to secure the same, and to take security in the Islands of the persons that shall send the same, and such others as you shall think fit for the payment of his Majestys Customs and the Company's duties, and for that purpose you see and cause all such Tobaccos to be weighed, and send us over an account thereof, and we think good to mind you that you see that all Tobaccos be made according to the rules of the Company which if done we doubt not but the magazine ship we shall constantly send will be sufficient to carry away the whole crop and not leave any behind her.

(19) We have chosen and appointed Francis Jones to be our sole searcher and have now sent him our *warrant* for that office and place, and do order you the Governor and Council to assist and encourage him in the lawful execution of his office.

(20) You write to us to be mindful of the searchers who have been without satisfaction for their Labour. We order you to examine and certify to us who they are and what is due to them, what they have done and what benefit the Company have had thereby for we do not remember the Company ever received any fruit by their service, but upon your information we will do justice to them.

(21) We have not received John Somersalls Petition but do think fitt still to continue Mr Percival Golding our Schoolmaster.

We take notice what you write concerning the School Lands, and we shall give satisfaction to the Right Honoble the Earl of Manchester therein, and we do order you to send over an exact account of all the School lands, what all the rents are, how and to whom disposed of and for what time.

Our will and pleasure is that the Glebe Lands in case of vacancy be not parcelled out but let entirely together and that no waste of Timber be made.

(22) The Ship we send over unto you is the Hopewell of London whereof Capt Robert Smith is Master whose time to

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unlade and relade at the Island we have appointed to be forty days and no longer, and we require you the Governor and Council to take care that she be not retarded beyond that time nor upon any pretence whatsoever you permit or suffer any ship to take in any Tobacco or goods whatsoever till the said ship shall be first laden and shall be under sail, and upon her return towards the port of London, and further that you cause to be Laden aboard the said ship all the crop of Tobacco of the growth of the said Islands of this present year 1675 and that the same be not shipped upon or reserved for any other ship ; except such Tobacco as the Commander of the said ship cannot lade upon her, which being some of the Articles entered into between us and the Master and Owner of the said ship, and on our part to be performed we do intimate the same to you to the end they may be strictly observed.

(23) We think fit to acquaint you that our aim and design was to have sent Captain Norwood to you again and for that purpose had agreed with his owners for a ship for him, but his owner not being able to get ready his ship within the time agreed upon, and he being gone out upon another voyage and so his return uncertain, we have been necessitated to seek out another, and have got this with much difficulty and upon worser terms than formerly to the Traders by reason of your permitting so much Tobacco to go out of the Island in a private manner, the which discourages all persons to serve us.

The Laws and orders herewith sent you we require to be forthwith proclaimed and strictly observed.

(24) We have passed a Warrant under our Seal to put the Hono^{ble} Daniel Finch Esquire, Henry S^{t} John, and Thomas Barrington Esq^{rs} into possession of the Lands by them in right of their wives, lately recovered of and from M^{r} Perient Trott.[1]

(25) We now send you M^{r} John Fowle, M^{r} of Arts of the University of Dublin, which we have chosen and appointed to preach to Sandys and Southton Tribes, and order that M^{r} Edwards deliver him the possession of the Glebe, and we pray you to receive him with all courteous entertainment and give him all due encouragement.

(26) Whereas you gave License to M^{r} John Farmer and M^{r} William Peniston to carry out of the Island Tobaccos for the port of London, and you thereupon took security of them to bring the same to London, and to pay his Majestys Customs and the Company's duties. We inform you that such Tobaccos came not to London but were by them landed in Ireland, and

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[1] These ladies were daughters and ultimately co-heiresses of Robert third Earl of Warwick, whose estates were divided in 1675, on the demise of the widow of the fifth Earl; see further under 1678.

we have some reason to believe that at the time of their lading of them on board they did not intend them for London but only for Ireland, but we leave the examination thereof to you the Governor and Council: and if you find it so to be, that you exact the forfeiture of their bonds for so doing: and we hope what we have already said in this our Letter will cause you care that Tobaccos be not carried to any place save this port of London.

(27) We order you to send us our full duties for the said Tobaccos so landed in Ireland by this our Magazine ship; and that at the next division day you take care by our Sheriff or otherwise to choose to us principal Tobacco for the same and consign it to our Treasurer for our use. Whereas we have from time to time transmitted to you several Laws, and in particular one Law made in July 1671 for preventing the making up of evil and unmerchandizable Tobacco, one other made in February 1668 for the better sanctifying the Lords day, one other against Adultery and Fornication, one other for putting out Children to service and to be apprentices, one other Law made in November 1663 against building of Ships and several other Laws and Orders for the good of the plantation, which notwithstanding our frequent writing to you to put the same in execution, you have not executed them, but on the contrary have taken little or no notice of them. We, finding that it is fruitless for us to make Laws and Orders here whilst execution which is the life of all Laws is neglected by you the Governor and Council and other officers there, and being willing to try you by all fair means and what one admonition more may do with you; we do will and require you the Governor that if for the future you meet with any obstruction in putting any of our Laws and Orders in execution. That you from time to time give us an account thereof in writing together with the names of the persons that cause or procure such obstructions, and in such case we require you the Governor and Council to cause the same laws to be put in execution any such obstruction notwithstanding, and we do peremptorily require you the Governor and Council that you do forthwith yeild obedience to all former laws and orders as to those now sent you: and we cannot but let you understand that we are so sensible of the abuse put on the Company herein in slighting their Lawful authority, that we shall not for the future be put off with such trivial answers as we have hitherto received, but must of necessity take a course to put in such Governor and Council and other officers as shall yield ready and faithful obedience to our Laws and Orders.

(28) As for Salaries at present we are so much indebted that we cannot comply with the payment thereof, but it is our aim

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and desire to satisfy the same and clear our debts with all possible speed, and we hope the return of this our ship will effect the same.

(29) We have taken into consideration what you write concerning Mr Vaughan and Mr Trott, and upon hearing what Mr Trott could say have ordered that no execution pass against Mr Vaughan upon the same judgment.

(30) As touching Mr Meuerell's business, we understand you are doubtful whether you can issue forth execution upon the judgment by him obtained against Capt Philip Lea the exemplification whereof you have received. Upon consideration had of the same we do think fit and order that you the Governor do without delay issue forth your warrant in the nature of a scire facias against the executor or administrator of the said Philip Lea to appear before you at a certain day, and time to be therein prefixed to show cause why execution should not pass upon the said judgment. And if they do not then appear, and show sufficient cause to the contrary that then you issue out execution against the said Executor or administrator to enforce them to pay and satisfy the said debt so far as the goods and chattels of the said Testator did amount unto.

(31) The Malatto child called Penny we have committed and granted to Mr Sherlock and refer you to our order thereupon made.

(32) As to what you write concerning the Sheriffs house, and his request to have a Lease for his encouragement to build a new house, we do not think fit at present to grant the same, but we think that you recommend the repair of the same to the next General Assembly or the new building with the materials thereof of another house instead thereof in some more convenient place, and that the one or the other be forthwith done accordingly as they shall think fit.

(33) Whereas in our General letter to you bearing date the ninth day of November 1670 we did declare unto you that no appeal could regularly lie on the Ptffs side, he being nonsuited or a Verdict given against him,

We having been given to understand the several mischiefs and inconveniences that have arisen to Pffs thereby, and that more are like to ensue, and that according to natural Equity and the course of other Courts, plaintiffs ought not to be denied appeals, and having taken the several Laws and orders of this Company concerning appeals into consideration, have repealed such former Order, and do now order that plaintiffs may appeal, and you are to take notice and to allow them appeals accordingly.

We would willingly according to your desire have heard and determined the appeal of Mr Edward Peade in the action wherein Richard Apoweing was Plt: and the said Mr Peade deft; but the said Peade is now a prisoner for debt, and no person appears for him, nor for the said Mr Apoweing to prosecute the said Appeal so that we could do nothing therein.

We have heard and determined the Appeal of William Righton against Thomas Richards, and the appeal of John Bristow Senr against Mary Peaseley Widow, and refer you to our orders made thereupon.

And we think fit to acquaint you that you may award execution against the said Mr Righton upon the said Judgment obtained by the said Mr Richards against him unless the said Mr Righton produce you our order made on hearing of the said Appeal signed by our Secretary.

(34) We have made choice of Richard Banner to be our Secretary to whose sign and firm of all orders and other writings you are to give credit and because his residence is at Sadlers hall the place of our meeting, you may direct all Letters and papers thither for us.

(35) We have made our order that unless Mr William Righton pay four pounds two shillings and sixpence due to us for Tobacco imported hither in the ship Fortune, that you Levy the same on his goods and chattels as by the order which we send you will appear, and so we recommend you to the protection of the Almighty and remain your affectionate friends.

WILL WEBB, Deputy.

Sadlers Hall, 12 August, 1675.

Postscript (36).

Gentlemen,

Since the writing of this our general Letter the ship Elephant hath arrived the which brings us a letter from our Sheriff dated July the 5th 1675, by which we are informed that not anything is done concerning the putting our order in execution for seizing Mr Perient Trotts estate for duties owing to the Company, and that the Council have determined at a Council Table not to have any hand, or give any consent for seizing his or any mans estate until a trial, we will and require you our Governor and Council that you do not dispute our order so by us made but forthwith execute the same and assist our Sheriff therein, and we expressly order you our Governor that in case any of the Council doth or shall refuse to execute or to be assistant in execution of the said order, or any other our orders, that then you fail not to send us over their names and demeanor that so we may deal with them according to their demerits, and we wonder that any of you should in the least fear that the Companys orders are not sufficient warrant for your acting and discharge, or that the Company will let you or any of you suffer for any thing you shall act or do pursuant to their orders. However you may perceive that we have by this our Letter taken care for your indemnity before this came to our hands. We rest, Your friends

Will Webb Dept:	S. Smith
Geo: Waterman	Henry Dandy,
John Wiseman,	John Chandler,
John Browning,	Hew Noden,
Humph Meverell,	William Milborne.

24. Enactments at a Quarter Court of the Bermuda Company, 23 June, 1675, inclosed in the foregoing letter:—

(1) A Law against burning of Cedar in boiling of Sugars and to put in execution all laws and orders formerly made for preservation of Cedar.

Whereas at a General Court held for the Company on the Eighteenth of September Anno Dmi: 1674. It was ordered that all and every person or persons whatsoever that should hereafter plant any Sugar canes should not in the boiling and ordering of the same, burn any Cedar whatsoever under the penalty of the forfeiture of the sum of five shillings for every hundred. Notwithstanding which order several persons in the Somers Islands do still continue the burning of Cedar in boiling and ordering of Sugar, for prevention whereof and for the better preservation of Cedar in the said Islands. Be it ordained and enacted, and it is by the authority of this great and general Quarter Court ordained and enacted, that no person or persons whatsoever shall from and after the publication of this Law in the said Islands, burn or make use of or cause to be burnt or made use of any cedar in the boiling or ordering of sugar in the said Islands, and that if and as often as any person or persons shall burn or make use of or cause to be burnt or made use of in the boiling or ordering of sugar such person or persons so doing and being thereof convicted by his or their own confession or by the oath of one or more witnesses before the deputy Governor of the said Island or any one of the Council, shall forfeit and pay to this Company for every such offence and as often as he shall so do the sum of five pounds of moneys Sterling to be Levied by the Sheriff of the said Island by the distress and sale of the goods and chattels of the party so offending, rendering the overplus thereof to him after necessary charges in Levying the same shall be deducted, every of which said forfeitures shall be employed as follows (vizt). The one moiety thereof to the use of the informer and the other moitey to the use of this Company towards defraying the public charge of the said Island, and the said Sheriff is hereby ordered and enjoyned to employ and dispose of the said forfeitures towards defraying of the public charge of the said Islands, in such way and manner as the Deputy Governor and Council there shall from time to time under the seal of the Office direct and not otherwise, or in any other manner, and be it further ordained and enacted, and it is hereby ordained and enacted that all and every other the Laws and orders of this Company heretofore made for the preservation of Cedar in the said Islands shall for the future be strictly observed and duly executed.

(2) A Law was also passed to prohibit the making of the unwholesome liquor called Rum, under a penalty of £20 for every offence. Also to impose a duty of 4*d.* per Gallon on all rum imported.

(3) A Law that all persons haveing Lande in the Somer Island shall enter their Claymes & that all Deeds and Conveyances of Landes shall be Registered, and that ffeme couverte shalbe examined.

Refers to a Law of 1629 that no mortgage or other conveyance shall be of value unless enrolled with the Secretary of the Company within one month of date, in order that intending purchasers should have opportunity of ascertaining how the lands proposed to them to be sold stood engaged. Refers to the great disregard of this Law, so that the Company are kept ignorant of their own members, and much litigation arises. Orders. That all Titles be registered within six months from the date of the present Act in England, or six months from the date of promulgation in the Colony in a book to be kept by the Governor and Council for the purpose, in like manner all future deeds and conveyances, a fee of 6*s* 8*d* being paid for the engrossing.

Any feme couvert joining with her husband in a conveyance of Land to be secretly and apart examined concerning her freeness and willingness to the same before the Governor or Dep^{y} Governor.

(4) A Law that none shall sell drink or liquors without licence and for appointing how many shalbe so licensed.

Refers to the Act of Feb. 1669 (*ante*, p. 288).

The penalty of 20*s* for selling without licence has been found too little: adds 3 months imprisonment for a second offence. The number of licensed houses limited to two in each Tribe and three in S^{t} Georges, and one at the Ferry. On the 1st November in each year the Governor and Council are empowered and re-

CHAP. XVI. 1673–1683. quired to set the prices of all wine, punch, rum, strong waters, spirits or other liquors or drink. Penalty for demanding more than the proper price £20. Free sale is permitted in the town of S^t^ Georges during Assize time, provided the regulated price be not exceeded.

(5) A Law for making all Negroes Indians and Mallatoes that shalbe brought into the Island to be forfeited: and to prevent conspiracy by them, and that their testimony in such case shall be taken one against the other.

Refers to the great number of such persons which are already upon the Island and are daily brought thither. Orders that after six weeks from promulgation, any negroes etc brought to the Island, without regard to ownership or nationality, are to be seized and sold for the benefit of the Company if they remain over 24^h^. Those already there are not to be molested so long as they behave peaceably and enter into no conspiracies.

(6) A Law that no proceedings in Law shall abate for want of form.

(7) An order that there shall be but one Pilot in the Island, and for appointing him a Fee for the same, and that he shall not merchandize or be a Factor.

25. Richard Norwood, the most eminent, and probably the last surviving of the original settlers in the Somer Islands, having been sent out under the Virginia Company to join Governor Moore as a surveyor in 1614 or 1615 (see vol. i., pp. 76 and 134), died at the age of 84, in October, 1675, and his will is subjoined in full. What little is known about him beyond the records of his public and private life contained in this work will be found in the *Biographie Universelle*, vol. xxxi. (1822), and in the *Philosophical Transactions*, vol. ii.

The most important of his numerous works (says the *Biographie*) is his 'Trigonometry,' printed in London, in 1667, but the epistle dedicatory bears date 1634. The collection published under his name in 1694 is in three parts, of which this 'Trigonometry' is the first, which offers nothing remarkable. The second is 'The Seaman's Practice.' The third treats of fortification. It is in the second that the measurement of a degree is found. Maupertuis in his book on the 'Figure of the Earth,' informs us that Norwood's operations were completed in 1639.

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Then follow descriptive particulars of his geodessic operations, which are given more fully in the *Philosophical Transactions* for 1676. He made the length of 1 degree of a great circle of the earth through York and London, 367,196 English feet; its actual length, by the latest determination for the surface of Great Britain, is 365,106ft.[1] an error in excess of 57 ft. on 10,000—large in relation to modern precision, but a good approximation for the day.

The traditionary belief in Bermuda has always been that the tract called the 'Overplus,' which contains some of the best land in the islands (see vol. i. p. 229), was in some way secured for Capt. D. Tucker, and other influential persons, by what in modern parlance is called a job. Since vol. i. was printed, the Editor has found in the Sloane MS., No. 750, in the British Museum, written about 1630, specific charges against Norwood, then a very young man, for lending himself to the selfish designs of Tucker, and so arranging his survey as to have an overplus precisely where it suited him to apply for a grant of land.

Copy of the Last Will and Testament of Richard Norwood. Dated April 1, 1674. Proved November 3, 1675.

In the name of God Amen. The ffirst day of Aprill in the yeare of our Lord Christ Six hundred Seventy and ffoure I Richard Norwood of Summer Islands surveyor of Land. Sometime master of the free school there, being aged about 84 years, but of good and perfect memory, God be praised, doe make and ordaine this my last Will and testament in manner and form following, that is to say, ffirst I comend my soule vnto Allmighty God, my maker and my merciful [Ffather] in Jesus Christ who hath redeemed me by his precious Blood from the bondage of Sinn and Sathan from Hell and Everlasting damnation, hath obtained for me the forgiuenesse of my sinnes, peace with God and I trust everlasting Blessednesse in his heauenly kingdome. And I will that my body be buried at the discretion of myne executo^{rs} or superuisors of this my last will: and touching that temporall estate w^{ch} the Lord hath vouchsafed to me for my more comfortable subsistance in this present life. I will that it be disposed of in manner and forme following. Imprimis I

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[1] I am indebted to the late Lieut.-General J. Cameron, R.E., F.R.S., Superintendent of the Ordnance Survey, for this information.

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make constitute and ordaine my well beloved sonne Andrew Norwood liueing at Barbadoes, togeather with my loueing daughter Elizabeth Witter liueing in Summer Islands, myne Executors of this my Last Will and Testament, and I doe giue and bequeath vnto my said Sonne & daughter my dwelling house, Schoole house, store house, and all other Edifices or outhouses to the same belonging, and my two shares of Land in Pembrooke Tribe w^{ch} I bought of M^{r} fforester, whereupon I haue built the said house, moreouer I bequeath vnto my sonne and daughter afforesaide ffoure of my Bond Servants viz Negro Tom and his wife called Besse & their two negroe Sonnes, the one called Dick and the other Tom. Item I giue vnto my sonne & daughter afforesaid all Gallens works in ffiue volumes. Item I giue & bequeath vnto my daughter Elizabeth Witter Crookes Booke of Annatomy also a great Bible in a large folio & well printed and bound w^{ch} was giuen me by my ffather Allso Cardens annalls or history of Queen Elizabeths Reigne & I desire her to preserue that Bible as well as she can, and bequeath it to her second sonne James Witter at her death or before if shee please: Item I bequeath to my daughter Ann Bowen ffiue pounds sterling to be paid as afforesaid And all that part of my wifes wearing apparell w^{ch} ffell to her by lott, w^{ch} she may receiue of my daughter Witter. Item I giue vnto my grandsonne Richard Witter for whom also I vndertooke in Baptisme; two of my manuscripts w^{ch} amongst others are the perfectest I haue written in that kinde namely the one of Perspectiue, the other of musicke: though neither of them bee perfected according to my intent: Yet if my sonne Andrew or Mathew desires a coppy of either of them, he may take such coppye, Item I giue vnto him Mersonne his Booke of musick printed in Latine 1636 Item I giue vnto his Brother James Witter what other Booke or Bookes of mine not exceeding the value of three pounds that he shall desire within a yeare next after my desease, and the hiue of Beese fformerly deliuered him & the increase & profitt thereof wthout any further account. The rest of all my Bookes Manuscripts instruments and tooles, I will that they be equally parted betweene my two sonnes aforesaid Andrew and Mathew. Item I bequeath vnto my Brother in law M^{r} John Gilpin that married my sister Elizabeth deceased and to his two eldest daughters by my said sister; not knowing whether hee haue any more children, tenn pounds sterl. there being about so much in money & goods giuen to him and to my said sister his late wife and his said two daughters by my ffathers will; namely to him, and to my said sister ffiue pounds sterling and some bedding, and to his two daughters twenty shillings apeece as I remember w^{ch} I offered to haue paid him in England before I came from thence w^ch^ is about 37 yeares since, but that he refused to giue me a generall acquittance to saue me harmlesse, such as I was aduised by some learned in the Law to take of him and others to whom I paid Legacies, and since I came out of England I neuer heard from him but once w^ch^ was shortly after my coming hither. I know not whether he be liuing or where he is, wherevpon the said legacie is yet vnpaid, but my will is it should be paid being lawfully demanded and fiue pounds more, that is ffifty shillings apiece to the two daughters for y^e^ forbearance. Item. Whereas o^r^ Hon^ble^ Company for Somers Islands are indebted to me for the Renewing of y^e^ survey of the whole Country by there order and appointment, about ten yeares past Anno 1663 & as I vnderstand by my Agent and Attorney Capt John Jenkins, they haue by warrant to there Treasurer ordered him to pay me, or to my said attorney ffifty pounds sterl: if the same be accordingly performed and paid I doe further giue & bequeath vnto my sonne Andrew aforesaid, and to his children ffifteene pounds, leaueing it to his discression to giue to his children there part & how much, when he shall thinke it meete. Item I doe giue & bequeath vnto my sonne Mathew afforesaid besides what I fformerly bequeathed to him ten pounds sterling not knowing whether he haue any more children Item I giue & bequeath vnto my daughter Elizabeth Witter before mentioned, I ffurther bequeath to her & her children here vnder nominated ffifteene pounds sterl. namely to herselfe three pounds and to each of her children ffourty shillings —that is to say, to James Witter 40*s* to Thomas Witter 40*s* To Samuel 40*s* to Rachell 40*s* to Jonathan 40*s* to Elizabeth 40*s* *Item* I doe constitute and ordaine my welbeloved sonne Andrew Norwood & my said daughter Elizabeth Witter my sole Executors of this my last will and Testament and my will is that they may nominate and appoint any other in their absence or otherwise for the due performance hereof. Item I constitute ordaine and make my children and well beloved ffriend Capt Samuell of Pagets Tribe the superuiso^r^ of this my last will and Testament to see the same deliuered and truly executed and performed according to my true meaneing and my Trust herein expressed: moreouer whereas dureing my wifes lifetime there was some Tradeing betweene my wife and my wife and my said sonne Andrew and when shee died he sayes shee was endebted to him for two or three negroes, or to that v . . e though for my part I know no such thing, but ought to have knowne it if any such thing were, I did presently vpon her death let him haue a young negro man called Auora, & so he might haue had the rest be it one or two, if he had demanded them, or had really thought that so much was due vnto him: he hath further had an Indian

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manservant of mine called George which he transported to Carolina & there left him, of whom he had foure or ffive yeares seruice before his Transportation. Besides the vtter losse of my seruant w^ch^ I am neuer like to haue again, & the losse of Indian Besse w^ch^ died in his seruice when shee has serued him about six years all w^ch^ may sattisfy him for the two or three negroes w^ch^ he claimed to bee due from my wife Item I bequeath my Boat Sayles & appertinances to my Grandsonne Samuell Witter and also my tooles or instruments for surveying & navigation. Item I bequeath vnto Samuell Witter ffive pounds sterling Item to Thomas Witter 20*s* to Jonathan Witter 20*s* to Rachell Witter 40*s* Item I giue vnto the said Rachell Witter a negro boy called Will of about a year and a halfe old, borne & now dwelling in my house which formerly I had promised her. And considering the vncertainty of the things of this life, and of what I shall leave to satisfy my debts and charges: my will is that what estate I leave my debts being paid &c. may indifferently be distributed to them among whom it is bequeathed so that what is wanting in money may be paid in other goods: if other goods also be wanting then to abate so much out of the Legacies as the goods wanting comes to in proportion: according to each man's part, to him or her bequeathed: there are moreouer some things that I haue not yet disposed of in my will: as of a negro man called Agge & dwelling in my house, of a negro woman called new Besse dwelling also in my house, of an Indian woman called Mary dwelling also in my house, of an Indian girl called Nan & dwelling in my house also, of a negro woman called Merea & dwelling w^th^ Dauid Watkins, of my cowes, steeres, heiffers, sheep, hoggs, household stuffe & Bedding. Plate, Pewter, Brasse, Chests great and small, my Beefe at home and abroad these I doe purpose generally to dispose of, if the Lord continue me life and health. If I should depart this life before this bee done, my will is that all those goods not disposed of in my will be indifferently valued by the superuiso^r^ of this my last Will and Testament, and that value equally and indifferently distributed & parted amongst my ffower children afforesaid. namely Andrew Norwood, Mathew Norwood, Elizabeth Witter, Anne Bower. And if any of these depart this life before they haue received their afforesaid Legacies, my will is that those Legacies should be equally diuided amongst those that then suruiue of my foure children afforesaid Item I constitute, ordaine and make my Christian and well beloued ffriend Capt John Bristow Junio^r^ another superuiso^r^ w^th^ Capt Samuell Whally of this my said Will & Testament, to see the same deliuered & truly Executed & performed, according to my true meaning & my trust in them reposed. Item I bequeath vnto the aforesaid John Bristow the sum of 40*s* or to that value & whereas my loueing ffriend M^{r} William Pitte is well acquainted with my affaires, I doe giue and bequeath vnto him the summe of 20*s* to the Intent he may be helpfull to my Executo^{rs} and Superuiso^{rs} afforesaid by his aduise in the performance & execution of my said will And whereas I vnderstand by Capt Whally that he is shortly to depart from hence into England, and soe not be here present when this will is to be executed I doe constitute ordaine & make my trusty & well beloued ffreind M^{r} John Bristow Senio^{r} another Superuisor with his sonne of this my said Will & Testament, to see the same deliuered and truly executed and performed & I bequeath vnto him the summe of 40*s* In witness of the premisses I haue subscribed my name and sett my seale the day and yeare ffirst aboue written.

RICHARD NORWOOD ⊗.

Tested p vs.
William Pitt
The mark ∮ of John Squier
John Bristow Martial.

Memorandum that vpon the third day of November 1675 personally appeared before Sir John Heydon K^{t} Governo^{r} & ordinary of these Islands the aboue William Pitt John Squier & John Bristow Martial, Witnesses, and averred vpon their Oathes that they saw the aboue written Norwood, signe & seale y^{e} aforewritten premisses as his last Will & Testament

WILLIAM PITT &c.

Testis CORNELIUS WHITE Secrett^{y}.

26. The custom in Bermuda that when slaves, the property of different owners, intermarried, their offspring should be divided between the owners of the parents, has been more than once brought to our notice. It was the only arrangement possible, and, owing to the small extent of the islands, did not necessarily involve greater separation of families than free labourers are accustomed to. The following document is a good example of it:—

The attestation of Arthur Weekes taken before S^{r} John Heydon K^{t} & Governo^{r} this 12th day of January $167\frac{5}{6}$. Upon Oath.

This Deponant declareth that as I was goeinge upp into the maine, M^{r} Harvey desired mee to goe alonge with him to M^{r} Basdens to take notice that hee was goeing to make a bargaine betweene M^{r} Harveys Man Negroe, and M^{r} Basdens Negrooe woman about Mariage, when I came there they had some discorse with the Negroes, whether they were willing to have one another or noe, they being willing, Mr Basden and Mr Harvey did both agree that they should Marrey, And that Mr Basden should have the first Childe, and Mr Harvey ye next that should be borne, and soe successively, and that Mr Harvey should pay the Midwife for every such Childe as should ffall to his lott, and to finde the Childe clothes for one yeare, and at the yeares end Mr Harvey was to pay to Mr Basden fforty shillings, and that at that present they could not conveniently have this Agreement then put in writeinge, but Mr Harvey said it should be done som other tyme and this they agreed upon.

Ye marke of Arthur × Weekes.

27. His Matie having been pleased to dissolve and extinguish the late Council of Trade and Forreign Plantations, and to commit what was vnder their inspection and management to a Committee of the Privy Council appointed for matters relating to Trade and Forreign Plantations; Their Lops on the 10th of April 1676 signe a Circular Letter. with several Heads of Inquiry, to the Governor and Company of the Bermuda Islands.

The Letter is as followeth :—[1]

After our very hearty commendacõns vnto you His Maty having, in His wisdom, thought fit to supersede the Commission by which his Council of Trade and Foreign Plantations lately acted, and thereby restoring all ye business of that nature to its accustomed chanel of a Committee of His Privy Council, And His Matie having more especialy committed to a select number of ye Board, whereof wee are, the care and management of things relating to his Plantations: Wee have therefore thought it convenient to give you advertisement thereof. And because wee doe not as yet find ourselves enabled to give His Maty such account of the state and condition of that Colony as his Royal Service and the dependance thereof vpon the Crown does require; Wee have therefore thought fit to send you (as wee have done to others) some Heads of Inquiry here annext, the better to guide you in the method of that state and representation of things which wee expect from you, and doe desire it may bee done with all convenient speed.

And soe not doubting of your care to advise vs farther in all matters that may from time to time conduce to his Maties service, and our better discharge of the trust reposed in vs, Wee bid you very heartily farewell. From y^e^ Council chamber at Whitehall, this tenth of April 1676

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[1] 'Colonial Entry Book,' Bermuda, vol xvii. p. 49.

Finch C. Ormond, Anglesey, J. Bridgewater, Carlisle, Craven, G. Carteret, H. Coventry, J. Williamson.

ROBERT SOUTHWELL.

The heads of Inquiry and Answers of the Sōmer Islands comp^d^ thereunto, are as followeth, viz^t^:—

1. Q: What Councils, Assemblys, and Courts of Judicature are within your Islands, and of what nature and kind?

Ans: The said Islands were about the year 1609 discovered by the English, being then vninhabited and not vnder the power of any Forreign Prince. And y^e^ said Company, having purchased the soyl of the said Island, were incorporated in the 13th year of King James by the name of the Governor and Company of the City of London for plantation of the Sommer Islands and thereby had the sole Goverment committed to them, with a power to make, ordain, and establish Laws, Forms, and ceremonies of Goverment and Magistracy as neer as might bee to the Laws of England.

The said Islands are governed subordinatly by a Deputy Governor and his Council. The Dep^ty^ Gov^r^ hath his Commission from the Comp^a^ here, and his Council are eight persons of fidelity and cheife note in the Island, one chosen for each of the eight Tribes, and there is alsoe a Sherif and a Secretary for the Island who are alsoe of the Council. The said Deputy Governor, Council, Sherif and Secr^ry^ are chosen yearly by the Company here, in one of their four Quarter Courts.

By a Law of the Company a General Assembly is constituted consisting of the Governor and Council and forty persons chosen by the respective Tribes, who have authority given them to draw vp and present Laws and Orders to the Company which Laws and Orders, if confirmed by the Company here, in one of their Quarter Courts, are binding and not otherwise.

Two General Sessions or Assizes are held every year, by the Governor and Council, to hear and determine all Causes both Criminal and Civil, all which Causes are tryed by Juries.

2. Q: What Courts of Judicature relating to the Admiralty?

Ans: There is no particular Court of Admiralty. But, vpon occasion, the Governo^r^ and Council determine Maritim Causes.

3. Q: Where the Legislative and Executive Powers of y^e^ Goverment are seated?

Ans: The Legislative Power is in the Company; and the Executive Power in the Island.

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4. Q: What Statutes, Laws, and Ordinances are now made and in force?

Ans: The Comp^{a} have made several Laws and Orders the which are contained in their Books. All which they humbly conceive are pursuant to their power, and noe ways prejudicial to the Island; and are ready to produce such of them as shall bee desired, but cannot set forth every particular Law or Order, for that they are many in number.

* 5. Q: What number of Horse or Foot are within the Islands, whether they bee Trained Bands or Standing Forces. How they are armed, divided and exercised?

Ans: There is in the Island six Companys of ffoot in trained Bands in number about one thousand Men armed with musket and sword. The Dep^{ty} Gov^{r} is Captain General; the six ffoot-commanders commissioned by the Comp^{a} here. These are constantly mustered at the least four times every year and oftner in time of Warr.

* 6. Q: What Castles and Forts are within your Islands, and how situated and fortified; as alsoe what Stores and provisions they are furnished withall?

Ans: One Castle called the Kings-Castle, and one ffort called Southampton-Fort situated in the entrance into y^{e} Castle-Harbor. Two fforts, viz^{t} Padget's and Smith's Forts at the entrance into the Town-Harbour, all furnished with provisions annualy, at the charge of the Company; w^{ch} fforts are attended and served by the publick Tennants. The Island naturaly fortifyed and with great difficulty to bee took.

* 7. Q: What number of Privateers or Pirats doe frequent the Coast, What their burthens are, the number of their Men and Guns, and the names of the Commanders?

Ans: Noe Privateers nor Pirats doe frequent the Island.

8. Q: What is the strength of your bordering Neighbors, whether Indians or of any other Nation by sea and land; and what is the state and condition of their Trade and Commerce?

Ans: Virginia, Carolina, and the Bahama Islands are our Neighbors, planted with English; and their Trade Tobacco, Furrs, and Wood.

9. Q: What Correspondency doe you keep with your Neighbors?

Ans: We trade with our Neighbors in all sorts of Provisions.

* 10. Q: What are the Boundaries, Longitude, Latitude, and contents of Land within your Goverment. What number of acres patented, setled or vnsetled, and how much is manurable land?

Ans: Bermuda is a Ridge of land lying neerest NE^{t} b. E^{t} and SW^{t} b. W^{t} but rounding and in the broadest part of it but two miles broad, and in the narrowest but halfe a mile. It lyeth in the chops of the Gulfe of Florida, having West Longitude from the Lizard 58 deg: 20. It's twenty two miles long. It lyeth in the latitude of 32 deg: 20.

The 8 Tribes subdivided into 50 shares 25 acres to each share, besides the public lands appropriated for the maintenance of the Goverment all setled and inhabited.

11. Q: What are the principal Towns and places of Trade? And what manner of buildings are most vsed in y^e Island, as to y^e strength & largeness of them?

Ans: The only Town is S^t Georges, where the Deputy Governor constantly resides, the places of Trade are in the Storehouses of the Inhabitants. The houses are generaly built of Cedar, none exceeding two floors and Garrets.

12. Q: How many Parishes, Precincts, or Divisions are within yo^r Corporation?

Ans: Each Tribe is a distinct parish.

13. Q: What Rivers, Harbors, and Roads are within Islands, and of what depths and soundings they are?

Ans. Noe Rivers, two Harbors, noe Soundings out of sight of land, but very good ground eight fathom deep in the Castle Harbor, and five fathom in Town-Harbor, and y^e coming in 18 foot, and 13 foot at Low-water.

* 14. Q: What commodities are there of the production, growth, and manufacture of your Plantation, and of what yearly value, either exported or consumed vpon the place, and what materials are there already growing, or may bee produced for shipping: as alsoe what are the Commodities imported, and of what yearly value?

Ans: The Commodity of the Island is Tobacco of which there is annualy exported and consumed in the Island about y^e value of five thousand pounds sterling.

There is some Timber growing than which there is nothing else growing or may be produced for Shipping. The Commoditys Imported are all sorts of wearing apparrell and houshold goods and some liquors.

The Export to other Neighbour-Islands are Beef, Pork, Fish, Wax, Honey, Palmetto-hats, Baskets, and Woodden ware. All about the value of six thousand pounds p̄ ann̄.

* 15. Q: Whether Saltpeter is or may bee produced within your Plantation: and if soe, in what quantity, and at what rates it may bee delivered in England?

Ans: Noe Salt can bee got in the Island, nor Saltpeter.

* 16. Q: What number of Merchants and Planters, English or Forreigners, Servants and slaves, and how many of them are Men able to bear armes?

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Ans: About four Merchants English, noe Strangers, about foure hundred Planters, about eight thousand Men, Women, Children, and Slaves, about a thousand White people able to bear armes.

* 17. Q: What number of English, Scotch, Irish, or Forreigners have (for these seaven years last past or any other space of time) come yearly to plant and inhabit within your Goverment. And alsoe what Blacks and Slaves have been brought in within the said time, and at what rates?

Ans: Noe English, Scottish, Irish, or Forreigner, come in seaven years past to plant there, the Island being fully peopled, and the Inhabitants, in all conjecture, eight thousand men, women, and children. About fifty Blacks have been brought in with seaven years past, and sold at about fifteen pounds p head.

* 18. Q: What number of Whites, Blacks or Mulattos have been born and christned, for these seaven years last past or any other space of time, for as many yeares as you are able to state an account of?

Ans: About one hundred and twenty of Whites, Blacks, and Mulattos are born in a year, and about halfe of them Christned.

* 19. Q: What number of Marriages, for seaven years last past, or any other time for as many years as you are able to state an account of?

Ans: About 30 Marriages in the year in the whole Island, besides y^e Blacks.

20. Q: What number of people have yearly dyed within your Goverment, for seaven years past, or any other time, for as many years as you are able to state an account of?

Ans: About twenty persons a year may have dyed, communibus annis, for seaven years last past.

21. Q: What Estimate can you make touching the Estates of the several degrees of Merchants and Planters within your Goverment? And how you may compute the wealth of the Island in general?

Ans: The Estates of the Merchants and Planters may bee about a hundred pounds each; and the wealth of y^e whole Island about Twenty thousand pounds.

* 22. Q: What number of Ships, sloops, or other Vessels doe Trade yearly to and from your Plantation, of what built and burthen, and whether there bee any belonging to the Country?

Ans: There comes ten or twelve sail of small vessels yearly from New England, New Yorke, Barbados &c to trade in the Islands for Provisions &c Besides eight, or ten more may touch at the Island in their passage to and from other places. There is about thirteen or fourteen ships or vessels belonging to the Island, the biggest whereof is about fourscore tuns, the least about twenty tuns.

23. Q: What Obstructions doe you find to the improvement of the Trade and Navigation of the Plantations of your Goverment?

Ans: Noe obstruction to Trade or Navigation.

24. Q: What Advantages and Improvements doe you observe that may bee gained to your Trade and Navigation?

Ans: Noe advantage to bee made.

25. Q: What Rates and Duties are charged and payable vpon any goods exported out of your Plantation, whether of your own growth, manufacture or otherwise: as alsoe vpon goods imported. And likewise what other Revenue doth or may arise within yo^r Goverment, and how the same are applyed &c.

Ans: Noe Duties charged and payable vpon any goods exported or imported either of the growth of the Island or otherwise, except a Duty of four pence ꝑ gallon on Rum noe part of which hath as yet been levied; but when any is it's to bee applied to publick vses in the Country. And alsoe a duty of about a penny in the pound vpon Tobacco brought into England and paid here by the several Merchants that import the same and imployed for the public vse of the Company and Country.

26. Q: What Perswasion in Religious Matters is most prevalent, and among the varietys which you are to express what proportion in number and quality of people the one holds to the other?

Ans: The Presbiterian Persuasion is most prevalent, they being reckoned to bee two Thirds of the whole, the other being Independents, Anabaptists, and Quakers.[1]

27. Q: What course is taken for the instructing of the people in the Christian Religion? How many Churches and Ministers are there within your Corporation, and how many are yet wanting for y^e accommodacon of yo^r Island? What provision is there made for their maintenance; as alsoe for relieving poor, decayed, and impotent persons? And whether you have any Beggars or idle Vagabonds?

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[1] The Established or Episcopal Church is here left entirely out of the account, although every minister appointed for years past appears to have been in Episcopal orders. The explanation is to be found in a strong non-conformist element in the Company in London itself, and in the total absence of church discipline in the Colony, which ended by obliterating the distinctions between Episcopalian and Presbyterian Protestantism. See p. 444.

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Ans: There are nine Churches and five Ministers, which are sufficient to supply all the Churches. Each of them have forty pounds per ann̄ allowed by the Company, a house and two shares of Land. There are some poor indigent persons, but noe Beggars in the Island.

Signed, by order of Court, the 15th of July 1679.

GILL: GERARD. Dep.[1]

28. At a Councell Table 20th Aprill 1676.

. . . .

(1) Ques. Whether Elizabeth Carter Quaker, shall bee sent away in ye ffirst ship or opportunitie. According to ye Companies Order, Voted yes.

Ques: Who shall pay the Charge of her Transportation, the goods belonging to ye ship she came in, or Solomon Robison?

Cornelius White and Mr Durham did not know certainely to determine where it shall bee paid. Mr Thomas Wood, Mr Turner, Henry Tucker, William Peniston, Capt Hubbard, Anthony Jenour Sherrife & Sir John Heydon Kt & Governor, vote that Solomon Robison pay for her transport and bear the charge Mr Wainwrighte, shee should bee sent away, & the person sell her for her passage, if she did not pay for itt.

Ordered, that a Warrant be forthwith Issued forth for ye apprehending ye aforesaid Elizabeth Carter, in order to her sending away. And that the Sheriffe agree with ye Master of such vessell or ship that will entertaine her for her passage, and ye Charge thereof, with ye Charge of ffindeing her, and bringing her Aboard, to be Levied upon ye Goods & Chattells of Solomon Robison, by ye Sherriffe aforesaid.

(2) Such being the dry official record of this act of intolerance, we turn to the History of the Quakers for a more sympathetic narrative :—

We return to Elizabeth Carter who some considerable time after her Banishment as aforesaid (see p. 379) was again concerned in Mind to return to Bermudas and visit her Friends there, but the Governour, being informed of her Arrival, would not suffer her to land, but ordered her to be taken out of the Vessel she came in, and immediately put on board a Ship bound for Virginia, which carried her thither, After some stay in Virginia, the same Vessel being bound from thence to Barbadoes, the Place of her Residence, she took her Passage thither intending to go Home. But the Vessel in her Voyage proved exceeding leaky, and the Master being near Bermudas, intended to get in there and have her mended, But the Winds being boisterous, and one of her Sails split, She was cast upon a Rock and beaten to pieces, but through the good Providence of God, the said Elizabeth with the rest of her Company were preserved alive, and got safe on shore about the End of the First Month 1676.

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[1] The questions marked with an * were referred by the Company to the local authorities by letter of 23 Feb. 167$\frac{8}{9}$. The return was furnished to Committee of Council in 1679.

Anno 1676. Being thus providentially cast on shore, she continued there about a Month or five Weeks, after which the Governour issued his Warrant to apprehend her, which Warrant coming to the Hand of Thomas Witter, a Constable of Warwick Tribe, he entred an House where he causelessly suspected her to be, and searched even the Chests and Beds, though to no Purpose, for the innocent Woman would not have hid herself. At length he casually met with her on the Highway as she was riding to see some of her Friends, and not perfectly knowing h r, enquired who that Woman was, but the Person who was with her not giving him Satisfaction, he, on his own Suspicion, having neither his Warrant nor Staff with him, ran rudely to her, and seizing the Bridle of the Mare she rode on, stopt her and set a Guard upon her, calling her Witch, and using other abusive Language. She seriously admonished him and the rest to have a Cair of their Actions, But the Constable in an angry Manner, ordered his Assistants to drag her to the next House, which they did. As they were dragging her along, Captain Dorell, an old Persecutor before mentioned, passed by, and scoffingly asked, What they had got there, a Beast? To which Elizabeth meekly answered, No. a Christian. She also said, They might be ashamed to use a Woman in that Manner, who had been providentially cast among them, and to whose Charge no Evil could justly be laid, but she well knew it was the Portion of the People of God in all Ages to suffer Persecution, and it was no new thing to her.

After much ill Usage the Constable caused her to be slung in a Rope, and to be carried by two Lads to the Sea-side, where she was put into a Prison provided for her, and there kept so close, that several of her Friends and Acquaintance were refused the Liberty of seeing her. While she was thus confined, her Condition and Sufferings were represented to the said Governour John Heyden, and Anthony Jenour the Sheriff, but no Relief could be obtained, for they and others were so incensed against this innocent Woman, as to resolve upon her Banishment the third Time; and accordingly, on the 24th of the third Month 1676, the Goaler came and forced her on Shipboard: And because two Persons, viz. James Wright and George Stevenson refused to assist at his Command, alledging that it was against their Conscience so to do, they were committed to Prison.

Also one Stephen Bullock, a Master of a Ship from Barbadoes, who voluntarily, as a Friend and Acquaintance, went with her in the Boat, was sent to Goal, and when Solomon Robison and William Righton, two of his familiar Friends, came to visit him under Confinement, they were lockt up all Night in the nasty Goal, a Place full of Vermin, and fitter for Dogs than Men, By the continued series of Sufferings inflicted on the said Elizabeth Carter, it may be observed, with what a peculiar Severity and Rigour the Magistrates of this Place did prosecute this harmless Woman, merely for the Offence they took at her reproving the Vices of them and their People. For the Prejudices of Men, hardned in evil Practices, are most keen and violent against their Reprovers, and generally forward to turn the Edge of the Laws against those, whose Admonitions make them uneasy in the Commission of Vices, from which they are unwilling to be reclaimed.

About the 13th of November this Year, one Edward Hinshman, a reputable Trader of Barbadoes, who had formerly been a Master of a Ship, came hither, but was not suffered to stay long on shore before the Governour obliged the Master of the Vessel he came in, to carry him away again, binding him in a Penalty to perform the same.

The foregoing being the Substance of what has come to our Hands, respecting the Sufferings of this People in Bermudas, we shall proceed to the Island of Antigua.[1]

29. At a Councell Table 9th May 1676.

(1) The Honoble Governor moved to ye Councell that ye cause why he had sent for them, and soe ye principall cause of this meeting was about a new Designe of Whale ffishing wch some of the Inhabitants had sett upon, wch in part hath bin dislikt by ye Honoble Company heretofore, upon wch it was ordered that two of ye said psons, and not ye whole body of them, should come into Court as ye mouth of ye rest, And shew by what

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[1] 'A Collection of the Sufferings of the People called Quakers,' by Joseph Besse, London: 1753 (vol. ii. pp. 366–370). The Barbadoes Legislature passed an Act in 1676, to prevent the people called Quakers from bringing negroes to their meeting. It commences by stating that, 'whereas of late many negroes have been suffered to remain at the meeting of Quakers as hearers of their Doctrine, and taught in their Principles, whereby the safety of this Island may be much hazarded, Be it enacted, &c.' [that any Quaker bringing his own slaves should incur the forfeiture of them, and every person present be liable to a fine of £10 for every slave present not his own property].' 'Laws of Barbadoes,' p. 97. This was renewed in 1681. It was not until 1722 that Quakers in Barbadoes were allowed to give testimony by affirmation.

The famous 'Apology for the True Christian Divinity as the same is Held Forth and Preached by the People called in scorn, Quakers,' by Robert Barclay, dedicated to Charles II., appeared in 1675.

power they sett upon this new designe of Whale fishing, as likewise that M^{r} Perient Trott, M^{r} Samuell Trott, M^{r} William Milborne come into Court and shew by what authority they ffish for whales, upon wch, they being called came into Court. And likewise Capt John Darrell Sen^{r}, and M^{r} Anthony White in behalfe of y^{e} rest for y^{e} new Designe of Whale ffishing. And after some Discourses past. The result of y^{e} New Whale fishers pretence was the Grant of his Ma^{tie} in his letters pattents and y^{e} Deed of y^{e} Hono^{ble} Company graunted for Confirmacon of their Lands under their Common Seale as more at large it doth and may appeare by a writeing presented to y^{e} Governor & Councell with severall hands to it, bearing date the 29th Aprill 1676.

(2) M^{r} Samuell Trott produced for his authority of ffishing, a Lease made by y^{e} Somer Islands Company to the Adventurers in y^{e} Whale ffishing for Ninety Nine yeares. Attested under the hand of the Secretary of the Company, W^{m} Minors, beareing date y^{e} 30th June 1669. The Grantees Lease made to any seaven of y^{e} Grantees attested by William Minors Secretary, beareing date the 20th December 1671. a Letter of Attorney ffrom M^{r} Thomas Crooke to M^{r} Samuell Trott of Whale ffishing, beareing date the first day of January 1671. M^{r} Will: Milborne produced a Lease of Demise by M^{r} William White of y^{e} Whale ffishing in Bermoodoes for 4 yeares from Christmas, beareing date y^{e} 31st of August 1675. After all wch, it was putt to the Question by y^{e} Governor, Whether the person that have sett upon y^{e} new ffishing, shall desist or not. Cornelius White Secretary desist until further order from the Company. Capt John Hubbard, y^{e} same as y^{e} Secretary.

M^{r} Lecrayft, M^{r} Wood, M^{r} Durham, M^{r} Turner that they may goe on in their ffishing. M^{r} Wainwrighte, sease for this tyme. M^{r} Anthony Jenour Sherriffe, that both y^{e} one and the other seise ffishing. And y^{e} reason why Samuell Trott because Crookes Deed and Letter of Attorney is not proved before us.

Sir John Heydon K^{t} & Governor, that Anthony Peniston seise at this season, for he Judges that Samuell Trotts authority is better than Anthony Penistons to ffish.

Quest: Whether y^{e} Writeings shall be Coppied by the Secretary and sent to y^{e} Company or no. Voted yea.

30. At a Councell Table 2nd June 1676.

(1) The Hono. Governor propounded the occasion of this meeting is about a Sperma-Cety Whale that had been found, and his order issued fforth to y^{e} Sherrife to hinder any persons from medling with y^{e} said Whale, wch hath not bin obeyed.

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M^{r} Thomas Wood Councellor, being one of the psons that hath had a hand in y^{e} opposing of y^{e} Sherriffe in y^{e} management of the Sperma Cety Whale, it was moved whether hee should sitt upon y^{e} Bench or not. Voted unanimously in y^{e} Negative, and thereupon he withdrew, After wch, y^{e} Governors Warrant was read, directed to y^{e} Sherriffe, and y^{e} Sherriffes returne to y^{e} Warrant.

The Complainte of M^{r} Anthony Jenour Sherife to y^{e} Governor & Councell that Daniell Hill, John Hill, Jonathan Witter and John Ward had seized a Sperma Caty Whale upon y^{e} 23rd day of May 1676 in y^{e} behalfe of y^{e} Hono^{ble} Company, and mored & kept posession of the same, and after seizure of y^{e} said Whale, M^{r} Thomas Wood, Daniell Bullard, and Thomas Witter being Masters of Boates, came & fell upon y^{e} said Whale with there Gangs, & cutt & carried away the same whether they would or noe; proofe of this Charge.

(2) Daniell Hill Aged two & twenty yeares or thereabouts sworne, declareth upon his Oath that he was Affishing upon the Ledge, And he saw a Whale come ffloateing upon y^{e} sea, as he Judged it by the Bulke, and thereupon weighed his stone,[1] being in about 16 ffathoms water off of the Narrows, and went toward the said Whale the day before my ffather Neriah Hill went to informe y^{e} Governor of y^{e} same, and being almost att it discovering certainly it was a whale, I come up to Thomas Wards boate, and told them of it, and asked them whether they would helpe to tow it in, and they told me yes, whereupon wee turned it up to y^{e} said Whale, and when wee were come up to it, wee cutt a hole in y^{e} same, and made fast a rope to y^{e} said Whale, and was towing it into y^{e} shoare, and then Jonathan Witter, as wee were towing, came to us, and helped with his Boate also, soe wee Three boates towed it till it grounded upon y^{e} fflatt, that wee could gett it noe farther, then when wee see wee could gitt it noe farther, wee stayed two Boates by itt, and wee sent y^{e} third Boate ashore, wch was my ffathers Boate with John Hill & John Ward to tell my ffather we had found a Whale, soe upon y^{e} returne of my ffather to us in y^{e} Boate, wee fell a Cutting of y^{e} Whale & cutt some peices, but it did not like us, & after that my brother John Hill cutt a whole in y^{e} whale & by that wee gott out of that whole, wee diserned that it was a Sperma Cety Whale, & wee filled two Iron potts & a small water Runlett with what runn out of that hole, & soe night comeing on, my ffather & wee mored one Boate to y^{e} Whale & I stayed all night in y^{e} Boate mored to y^{e} whale

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[1] A weight used as an anchor by fishermen. This narrative can only be fully appreciated by those who have seen and smelt a whale in Bermuda in June; the growing scarcity, however, of these cetaceans gives value to the records of their migrations.

with Aron Ward, & y^{e} other two Boates went ashoare to gitt refreshment & other things ffitt for y^{e} worke after they had also mored y^{e} Whale with rope, and wee Concluded amoung ourselves that upon y^{e} Returne of y^{e} two Boates next morning with victualls & other things fitt for y^{e} worke, that one of the three Boates should come to Informe y^{e} Governor & the Sherrife of y^{e} said Whale, and to desire their assistance that they might have their parts for recovering or ffinding y^{e} said Whale, And further I, this deponent with a little boy named Aron Ward staying all night by the whale, early in y^{e} morning came three boates, and I decerneing that it was not my ffathers Boates, I got out of y^{e} Boate I was in upon y^{e} whale. And ye first boate that came was Daniell Bullards, and hee flung his grapple upon y^{e} whale, and I tooke y^{e} grapple and fflung itt off againe, and bid him keep off, for itt was ours, wee had recovered itt & mored it, but Daniell Bullard or some of his Gang fflung on his grapple againe. And after came M^{r} Thomas Wood in his boate, and Thomas Witter in Capt John Darrells boate, and likewise my ffather came in his boate to y^{e} Whale, and went to cutt Daniell Bullards Boate loose, and some one of y^{e} Gang (but who it was I cannot tell) said that if my ffather cutt y^{e} Boate loose, hee would cutt his fflesh, whereupon my ffather desisted, & soe came away to towne to Informe y^{e} Governor. And M^{r} Wood said Cutt, Cutt, for it is a wracke, and thereupon y^{e} three boates Gangs fell to gitting of y^{e} Spalma Caty out of y^{e} said Whale, there was in Capt Darrell Boate three Caskes, two of them Hogseds as neare as I can Judge & y^{e} other a smaller caske, nere three quarters full or thereabouts of Oyle & flesh, there might bee water amoung itt. After my ffather went to Towne in his Boate from y^{e} whale, I and Jonathan Witter being in two Boates, wee gott one Barrell about as bigg as a Corne Barrell, & a Brass Kittle as full of Oyle as wee could well carry them ashoare, Amounge the whole Company belonging to y^{e} three Boates and that was all. The marke of DANIELL O HILL.

Testis CORNELIUS WHITE Secrāry.

John Hill, brother of the above, gives evidence to the same effect.

(3) John Ward aged nineteene years or there abouts who being sworne, haveing heard y^{e} declaration of Daniell Hill read, Affirmeth upon oath to y^{e} truth of all their in conteyned. But what was Acted in y^{e} time before Daniell Hill came in his ffathers boate to him to acquaint him that there was a Whale. And likewise what was acted the tyme that hee was from y^{e} whale to his returne againe to y^{e} whale next morning save only that expression mentioned of M^{r} Wood Cutt, Cutt, for it is a

Wrack, I doe not remember that I heard M^r^ Wood say soe. And likewise I add this much to that expression of him that said that hee would cutt his fflesh that cutt his boate loose, he cannot tell who it was. But I affirme it was Peter Mallory.

The marke of John × Ward.

(4) The Complaint of M^r Anthony Jenour Sherriffe in y^e behalfe of y^e Hono^{ble} Company to y^e Governor & Councell against M^r Thomas Wood Counsellor in opposing or refuseing to assist me in y^e execution of y^e Warrant Granted from y^e Governor to seize a Sperma Caty Whale according to my returne made of y^e saide Warrant, and not delivering to mee y^e one halfe of what he had recovered, though I offered to give him y^e other halfe for his paines & labour, And likewise refused to bring what hee had gott to y^e Governor, Although often required soe to doe in his Ma^{ties} Name, upon wch he brings y^e witnesses following. Aaron Coulson aged seaven & twenty yeares or thereabouts being sworne, the Question propounded to him by y^e Sherriffe, was what you know Concerning the execution of my office in goeing to seize y^e Sperma Caty Whale, Answered, ye Sherriffe, when hee came to y^e said Whale ffound severall psons at worke upon it, and after his seizure of the same in y^e behalfe of y^e Hono^{ble} Company, he Com̃anded them that were at worke upon it to fforbeare workeing any more unlesse they would give to him the one halfe of it for y^e Companys use, but none accepting the Sherriffs Terms, nor yet seising there working upon y^e said Whale, the Sherriffe Com̃anded M^r Wood to deliver him the halfe he had in his Boate, or to carry it to Towne to y^e Governor, and M^r Woods answere was, before hee would bring it to Towne in that condition, he was being all Greesie, hee would through it into y^e sea. And likewise the Sherriffe gave M^r Wood the Governors Warrant to read, and Comanded him to Assist him in y^e execution thereof, and hee tooke it & reade itt, as I thinke, for I see his lipps goe, and when hee had read it, his Answere was that hee had nothing to doe there, neither did I see M^r Wood deliver to y^e sherriffe one dropp of y^e Sperma Caty he had gott.

Aron Coulson.

(5) The Complaint of M^r Anthony Jenour Sheriffe in the behalfe of the Hono^{ble} Company to y^e Governo^r & Councell, against M^r William Stafford, that hee Comanded him amoungst others in Generall Termes to deliver him the one halfe of what he had gott in his boate of the Sperma Caty Whale, or to carry itt downe to the Governor, but he went away and did neither give him the one halfe, nor carry it to Towne, M^r William

Stafford did acknowledge he went away, and did not give him the halfe, but he did not understand that the Sherriffe would have the halfe, it was of so little worth he had gott, and soe soon as y^e^ Sherriffe had seized the said Whale in y^e^ behalfe of y^e^ Company, and Comãnded the people to seise, he left off, & wrought noe more, but went home.

Testis CORNELIUS WHITE Secretary.

(6) The Complainte of M^r^ Anthony Jenour Sherriffe in y^e^ behalfe of y^e^ Hono^ble^ Company to the Governo^r^ & Councell Against Daniell Bullard that he Comãnded him to give him what he had recovered of the Sperma Caty Whale in his Boate for y^e^ use of the Company, and he would deliver him y^e^ one halfe for his labour, or else to carry itt to Towne to the Governor, if hee did not like to give him the one halfe of what hee had recovered; and likewise I Comãnded him, as being Master of y^e^ Boate, to come into y^e^ Boate to mee. And the said Daniell refused to obey me in every thing, though often required in his Ma^ties^ Name soe to doe.

ANTHONY JENOUR Sherriffe.

The Sheriffe attested upon Oath what was his Complainte against Daniell Bullard.

(7) The Councell continued the 3^rd^ June 1676.

The other Complaintes exhibited by y^e^ Sheriffe in a paper, and are in y^e^ Office. The proofe of the Complainte of M^r^ Anthony Jenour Sheriffe in the behalfe of the Hono^ble^ Company against M^r^ Anthony Penistons Boates gang y^e^ first day, they acknowledge the Charge and soe need not to be proved.

(8) The proofe of y^e^ Complainte of M^r^ Anthony Jenour Sheriffe in y^e^ behalfe of the Hono^ble^ Company Against Capt John Darrells Boates Gang, they acknowledge the Charge and soe need not to bee prooved.

Testis CORNELIUS WHITE Secretary.

31. At a Councell Table 14^th^ June 1876.

The Hono^ble^ Governor propounded that the occation of this meeting was about a publique Letter to send to y^e^ Company.

Upon y^e^ motion of y^e^ Secretary to y^e^ Governor & Councell, that there was great need of a chest in y^e^ office to secure y^e^ Records ffrom the Cackaroches, wch did eate & deface papers.

Ordered that y^e Sherriffe cause a Chest to be made to secure y^e records.[1]

32. The following regulation was enacted at a Quarter Court of the Bermuda Company also held 14 June, 1676:—

(1) A Law that all shipps and vessells shall anchor and Lye in the Castle and Towne Harbour, and shall pay Port Dutyes accustomed of Powder, and Pilotage, and Water money.

Refers to an Act of Ffeb. $166\frac{4}{5}$: imposes a fine of 20*s* a day on vessels coming to anchor elsewhere. Persons delaying or neglecting to pay the Duties, to be committed to Prison.

33. At a Councell Table 27th June 1676.

. . . .

Ordered that y^e Kings Proclamation Concerning Customs and y^e seizure of prohibited goods, as is therein more fully expressed, wch was brought into y^e Islands by y^e ship Elephant, Capt William Powell Commander, bee publiquely read in the Churches, and to that end was delivered to y^e Sherriffe, M^r Henry Tucker, Capt John Hubbard, M^r William Peniston, M^r Jonathan Turner, & M^r Thomas Wood, each of them one.

34. At a Councell Table 17th August 1676.

The Hono^{ble} Governor propounded y^e occation of this meeting is to consider about an important businesse. There are severall slaves as Indians & Negroes come into y^e Country, contrary to y^e Companys Law.

Quest: Itt being putt to the Question whether itt were Convenient that y^e Law of y^e Hono^{ble} Company Concerneing y^e prohibition of Negroes, Indian and Mallatoes comeing into y^e Island, and y^e Sherriffes seizing them in case they doe come, shall be put in execution.

Ordered by y^e Governor & Councell that y^e said Law bee put in Execution by y^e Sherriffe, and after the seizure of y^e Sherriffe, y^e Sherriffe to returne them againe to them, they giveing Securitie for their forth Comeing upon y^e Companies further demand, or order unlesse they shall before that is further knowne Exporte them out of y^e Country againe with this proviso, that they that were out of the Country, and could not know of this Law, and thereupon for their owne use or service have brought any slaves or Negroes or Indians they shall not bee seized, provided they do not make Merchandize of them. And for prevention of any more comeing, the Sherriffe from this time fforward to putt the Law of yᵉ Company into Execution.

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[1] The familiar name cockroach is a corruption of the Spanish Cacarouche, the etymology of which will be sufficiently obvious. The word is not in Johnson.

Ordered to be published wch was done accordingly.

Signed by order of the Governor & Councell,

Cornelius White Secretary.

35. At a Generall Court held for the Sommer Islands Company at Sadlers Hall on Tuesday the 17th of Octobʳ 1676.

A Declaration for the *guidance* of the ffreeholders and owners of Land in the Sor̄mer Islands. That they haue noe Right to fishe for whales, and to prohibitt them and all others for fishing for whales without leave from the Company

Whereas seuerall persons in the Somer Islands vpon pretence that they are ffree holders and owners of Lands in the same Islands and haue had such Land granted and confirmed to them vnder the Companies Co̅mon Seale with the words ffishinge Royalties and other generall words Doe alleadge and some of them haue bin so bold as by writinge vnder their hands in a publique waie and manner to declare that by vertue of such Lands and the co̅mon Seale of the Company for confirmation thereof they haue a power to fish for whales in and about the coasts and seas of the said Islands Upon Consideration had of such writinge or Declaration And of the Grant of the Company to Purchasers with the words ffishinge Royalties and other Generall Words. This Court for preseruing the iust rights and priviledges of this Company: retayneing the people in peace and quiet, the vndeceiueing of all such persons that through the subtilty of others or their owne Ignorance haue been abused or misled in makeing such Declaration, or pretend to haue a right to fish for Whales Doe think fitt to declare and they do hereby Declare to all persons inhabiting or that shall inhabit in the said Islands *and all other p.sons* in any wise concerned therein That the Companies vsual Deed of Grant to Purchasers for *confirmation* of Lands vnder the Co̅mon Seale of this Company with the said words 'ffishinge' 'Royalties' *&c &c*[1] never did giue nor neuer was intended to giue neither could it giue, Liberty *or license to* Purchasers ffreeholders or owners of Land To fish for whales in or about the coasts or seas of the said

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[1] See an example vol. i. p. 551.

Islands. And wee doe hereby Order Comand and enioyne all and euery person or p.sons *as well tenants* or owners of Land, as others, not to fish for whales or sett *forth adventures for the purpose* of fishing, unless they shall hereafter haue & procure the License and Authority of this Company to fish for whales, under pain of imprisonment. And to be proceeded against as disturbers of the common peace of the Som^{r} Islands. And vpon paine of forfeiture. And euery person or p.sons so doeing shall loose and forfeite all and euery such Boate and vtensills they shall employ in such whale fishing, And wee hereby strictly charge & comand the Goueror of the said Islands to comitt to prison all and euery such person or psons as without our license or order, shall fish for whales and cause them and euery of them to be proceeded against and punished accordingly. And alsoe to grant and yssue out his warrant to our *Sheriff* to secure for our vse all & euerye such Boates and vtensils as shalbe employed in such whale fishing. And wee charge and command all Justices Councellors Constables, military and other Officers to assist our *said* master and Sheriffe in the Execution thereof.

36. Extracts from a Letter from the Company, dated 26th October 1676. (M.S. iv. p. 150.)

(1) . . . . We hold it convenient and order you to minde the ministers to pursue their commissions. And that you enjoyne and cause them to preach every Lord's day publickly in their severall Tribes. That they administer the Sacraments of Baptisme and the Lords Supper. That they conforme to the printed Law. And also Register and take notice of all births. And the better to oblige them unto the same and for their encouragement therein Wee thinke it reasonable for them to take and receive as a ffee or dutie for every marriage christening or Burial a Royall and as for children begotten before marriage or Bastards wee order the Baptising of such children And that the parents take off the scandall to the church of God by a publick declaration of their unfeigned sorrow for their sinn and that the parents or sureties engage for the pious *training* and direction of such children We expect and require of our Secretarie to send us a yearely *return* of all Births and Deaths both negroes molattoes *and others* and also an accompt of all psons that shall come on or which shall goe off the said Islands.

(2) . . . . Wee have lately seene a printed Booke entituled The iust and uniust proceedings of the Somer Islds Companie in relation to 20 shares of Land that Perient Trott bought of

the Right Honourable Earle of Warwicke &c.[1] Which Booke we haue taken into consideration and have *found* that it is a false and slanderous Pamphlett vnduly reflecting vpon the Lawes and Justice of the Company, and tending to the raising of sedition and mutiny in the Island, and the same ought to be and shall be seized and burnt in the Islands, and now send it you for that purpose, and Require you to burn the same in a publick manner, by the hand of the Marshall, and wee being informed that some of the said Bookes are sent to the Islands. Wee order you to make speedy and strict Inquiery after such. And all such as you shall find you seize and take awaie or cause them to be burnt.

[Sir John Heydon reported, 17 May, 1677, that he could not learn that Trott had sent over above 16 or 17 copies, most of which he had seized and caused to be burnt at St. George's, near the pillory and whipping-post, by Mr. John Bristow, Provost Marshal.

Trott's case is briefly stated as follows, in a paper of Charges against the Company of later date.

Perient Trott purchased 20 shares of land, of 500 acres, of the Earl of Warwick for a valuable consideration, and enjoyed it above 20 years. It was adjudged to him for ever March 24, 1673. Then Mr. Daniell Finch marrying one of the daughters of the Earl of Warwick,[2] the 14th April, 1675, Daniell Finch and others there present voted themselves the land away from Trott to themselves, by holding up their hands, the 3 claimants there voting; and because the then sheriff would not execute the order for giving away the possession, they make Brisco, the

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[1] The title of the pamphlet, now very scarce, is as follows:—

A True relation of the just and unjust Proceedings of the Somer Islands Company in relation to 20 shares of Land that Perient Trott bought of the R^{t} Hon^{ble} the late Robert Earl of Warwick the 22nd of February 1658 and the great justice shewed by the said Earl of Warwick in the sale of the said lands.
And the great justice shewed by the R^{t} Hon^{ble} the Earl of Shaftsbury.
And the like justice done by the R^{t} Hon^{ble} the Earl of Danby Lord high Treasurer of England.
And the justice done by the Councill in Somer Islands.
Printed for the better Information of all men in England, and in the Somer Islands, and of all unbiassed persons in the World.
Anno MDCLXXVI.

It is shown by certified extracts from the Company's Parchment Book (p. 133), that Robert, late second Earl of Warwick, did by his deed dated February 22, 1688, sell unto the said Perient Trott all his twenty shares of land in the said Somer Islands for ever. This land was claimed by Charles fourth Earl of Warwick; but by order of Court, February 27, 1667 (fol. 250), the said Charles was to pay Perient Trott £600, on or before April 20, 1668.

Norwood, in his Survey, 1662, enters the lands as Trott's.

[2] Hon. Daniel Finch, afterwards second Earl of Nottingham, married Essex, youngest daughter of the third Earl of Warwick. He was eldest son of Lord Chancellor Heneage Finch, created Earl of Nottingham 1681, and succeeded his father December 18, 1682 (Collins, iii. p. 395). This powerful connection must have operated greatly to Trott's disadvantage.

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common executioner in Bermuda, sheriff for the purpose, who did it accordingly, and they order an erasure of the record of Trott's title.

It is obvious from Trott's previous relations with the Company that they seized an occasion to crush him. In all probability there was a colourable ground for the seizure of his land in his long continued defiance of their regulations, and the judgments against him for his contraband trade. The evidences of his title are still extant in M.S. iv. pp. 119–123, although cancelled.]

37. Extract from a Letter from the Company 26th October 1676.

(1) Wee thinke fitt to acquainte you that wee haue repealed the Lawes of this company that ordaine that noe person shalbe Gouernor of the Sumer Islands aboue six years togeather. A copy of which wee now send you. And that wee elected and made choice of seuerall persons to be Officers for the Sumer Islands. An accompt of which wee now send you.[1]

(2) Wee thinke fitt to informe you our Gouernor and Council that our Gouernor in the said Islands is the im̄ediate officer to vs here, to see to the due execution of all such Lawes Orders, Instructions and other processe as haue been or shalbe sent from this Company to him or to the Councell in those Islands. And that you the Gouernor and Councell haue no power to putt any of our Lawes, Orders, Instructions or other processe to the vote. Or in the least to dispute the same. . .

(3) Wee take notice of what you write about burning of cedar in boyling of sugar. Wee cannot tell whether the worke will fall or not, but expect our Lawe concerning the same to be put in execution.

38. The General Levy was determined 2nd Novem. 1676 as follows:

Pay of the Castle soldiers. . .	2356	lbs. Tob.
Other military items, Arms, &c. .	168	
Repairs of Forts, Boats &c . .	$363\frac{2}{3}$	
Civil works	$97\frac{1}{3}$	
Civil Government and Salaries. .	1424	
	4409	lbs.
Per rents of Public Lands . .	1392	
To be raised	3017	

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[1] These were Deputy-Governor Sir John Heydon, Sheriff A. Jenour, Secretary Henry Tucker, sen., to each of whom a commission was sent. Nominations of councillors and commanders of forts follow.

This is assessed at $8\frac{1}{2}$ lbs. per share, and the value taken at 3*d.* per lb. There is credited for powder received at 1*s.* per lb., 12*l.* 8*s.*; expended in collection, 3*l.* 6*s.*, leaving due 9*l.* 2*s.*, of which the Governor acknowledges receipts from the widow of the late Sheriff, Anthony Jenour, 26th Feb. Twelve ships paid powder or powder money in the year, the largest quantity being 40 lbs.

39. At a Council Table 2nd, 3rd, and 18th January $167\frac{6}{7}$.

(1) Upon the presentment of y^{e} Grand Inquest as an Agrevance that the church doores of the Island is not freely opened in such places where the minister is absent, for the Readers to perform their duties in Reading the word of God, on the Lords Day. Ordered that the Church doores in the absence of the minister bee opened, and such as will may haue free Lyberty to goe to heare the word of God read.

(2) Upon the presentment of the Grand Inquest that the whole worship of God is not putt into execution & practice as formerlie hath binne in these Islands by our ministers. In former yeares y^{e} Children and servants not being catechised and y^{e} Lords supper and baptising being much wanting among vs. Ordered that the Gouernor in his Proclamation doe admonish the ministers to see Reformation of these neglects.

(3) Vpon the Grand inquest presenting as an agreeuance the practice of seuerall persons, as well inhabitants as Strangers, for that they cutt and carry away the bodies and roots of Button wood trees[1] for fire wood, which if left standing would be benificiall, and is found by experience of y^{e} Tanners most convenient for y^{e} tanning of Leather. Ordered that no pson or psons whatsouever presume to cutt any Button wood tree downe, but that he leave a stumpe of two foote high above y^{e} ground together with y^{e} rootes of y^{e} said stumpe. As likewise that all manner of psons forbeare for the future stocking vp any Button-wood rootes, uppon paine of fforfeiting Tenn shillings for euery root so stocked vp, or Button wood tree fallen contrary to this order, to be published with the Gouernors proclamation.

(4) Upon the presentment of the Grand Inquest presenting the evill practice of severall Inhabitants of these Islands who at the season of the year when the white bone Porgayes[2] sculls they

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[1] Probably *Conocarpus erectus*. See vol. i. p. 668.

[2] The Bermuda fishermen appear to have lost the name 'White-bone porgy;' they have Spanish porgy, *Scarus radians*; Goat's-head porgy, *Calamus megacephalus*, and Sheep's-head porgy, *C. orbitarius* (G. Brown Goode). To scull, to collect in shoals.

ketch them, through lucre of gaine and kill them to dry for sayle, to the preiudice of the whole Island, ordered therevpon that when the white bone Porgayes sculls, or are found in or about the eastermost parts of these Islands in the months of Aprill and May yearly and euery yeare, that all manner of pson or psons fforbeare ketching or killing of any white bone Porgayes in the same time afore mentioned, more than is for their family's vse, vpon the fforfeiture of ffiue shillings for euery Porgaye so ketched or kild to dry, the informer to haue one moiety, the other to be for publick vses.

40. (1) Perient Trott, Robert Steevens, John Wyley, and Geo. Daye, describing themselves as members of the Bermudas Company, petitioned the Crown in favor of Free Trade. 12 January 167$\frac{6}{7}$.

They affirmed that the Joint Stock Trade of the Company had been dissolved near 50 years before. That some of the Company, on purpose to destroy the trade of those parts, have made a law that no ship should be employed to those Islands wherein any member of the Company hath any interest, refusing them leave to send for their own commodities with their own ships. That they send on their public account but one ship a year, and sometimes but one in two years, to the great loss of the Planters. That strange ships have been licensed by the Governors to carry away Tobacco contrary to several acts of Parliament, regardless of complaints.

The King is prayed for the encouragement of navigation and of the Petitioners in their Trade to direct that a free Trade may be allowed to the said Islands for his Ma$^{\text{ties.}}$ subjects that are members of the Company, to order the repeal of all Laws to the contrary, and that the ship 'Charles' of London now ready to sail may be enabled to land their goods and to bring from thence into England the commodities of the Islands. (Col. Papers, vol. xxiii.)

(2) This was referred by the Committee of Council to the Company itself for reply.

(3) The reply of the Company was read Jan. 17, 167$\frac{6}{7}$.

They allege that tis true at the first creation of the Company, and for severall yeares after they Traded in a joynt Stock. That for y^{e} conveniency of the members of y^{e} said Company the Company gave leave to them to trade with their own private Stocke, but still they alwaies managed that trade in the Companies

Generall or magazine ships. That the Company have indeed made a Byelaw that no ship should bee imployed as their magazine ship wherein any member of the Company hath any share or interest as an owner of it, and they have also made another byelaw that no member of the Company shall trade either with any private shippe for Tobacco and freight them there before the magazine shippes are fully freighted, and the company to conceive that theis Byelaws are according to Law and benificiall to Trade, and y^{r} Ma^{ts} customes and necessary not only to y^{e} well Being, but to y^{e} very Being of the said company, and they do not doubt to make out.

That the Magazine Ship is very sufficient to bring home y^{e} crop of Tobacco, in y^{e} said Islands it being seldome or ever fully freighted, and that M^{r} Trott has the same liberty with all the rest of the members of lading his Tobacco on board the said shipp as he had also of sending out his goods in the said ship shee not being a quarter laden.

As for any abuse of the Governor in the said Islands, the company know nothing of it, but would bee very glad to make the discovery, since in their proportion they are the greatest sufferers, thereby being defrauded of their Duties, whereby they maintain the whole great charge of the Island and Government.

The Company therefore pray that the petition be dismissed.

41. Letter from the Company dated Sadlers Hall 23 February 167$\frac{6}{7}$.

Gentlemen,

(1) Since the writing of our previous Letter Wee are designed to send from hence a small vessell for Oringes, but being doubtfull whither she might finde a full fraight in the Island, have thought fitt, rather to appoint M^{r} Arthur Jones, M^{r} John Bristow Sen^{r} and M^{r} John Bristow Jun^{r} to freight a vessell there, and lade her with 400 Chests of Oringes or thereabouts, And have given them our Order therein (if in case you the Governor and Councell shall judge there is plenty of large & good Oringes in the Island sufficient to lade such vessell as will bring home 400 Chests or thereabouts). And Wee doe accordingly recom̄end the consideration thereof to you the Governor and Councell, And require you im̄ediately upon receipt hereof to take the said matter into your serious thoughts, and accordingly to determine therein, And to give notice to our said ffactors of the same, that soe they may hyre such vessell. And Wee expect and require you the Governor and Councell to further and assist what lies in you, the lading, speeding awaie and dispatch of such vessell, and afford our said Agents your Countenance and encouragement therein.

(2) Wee acquaint you that wee have sent by the said shipp Joseph and Ann Twenty peeces of kilderkin hoops, Two bags of fowerpenny nailes and Tenn Reames of large Capp paper, consigned to the said M^{r} Arthur Jones, for makeing upp and fitting of Chests in the Island to put the said Orrenges in, And order you the Governor and Councell to permitt him to receive the same. And wee order you not to ymitt any other vessell whatsoever to lade any Oringes untill our said vessell shall be fully fraighted. And thus wee Com̄end you the protection of the Almighty, And rest, your very loving friends,

Signed by order of Court,

Gil. Gerard Dep.

42. Extracts from a Proclamation by Sir John Heydon, Kt. and Governor. March 16th $167\frac{6}{7}$.

(1–2) Notify the usual appointments by the Company's Commissions, brought by the Magazine ship 'John,' Capt M. Norwood, which arrived March 1st.

(3) Wee order that neither Justices nor constables be confined to their respective Tribes: but have power to execute their office in the whole Island.

(4) It is ordered by the Hon. Company that the stay of the magazine shipp doe not exceede 40 daies from her arrival. And that the cropp of Tobacco of the growth of this present yeare bee not shipped vppon or reserued for any other shipp (except such Tobacco as the commander of the said shipp cannot lade vpon her) as likewise the Company strictly requireth the obseruation thereof. And expressly order that if any person shall refuse neglect or delay to lade his Tobacco on the said magazine ship (she being able to receiue the same) that effectual care bee taken, that such Tobacco bee not carried out of the Islands in any priuate shipp, but that the same be stayed and secured in the Islands, vntil the returne of the next magazeene shipp to be sent for London, and in no other ship.

(5) All manner of persons by the Company's Law are prohibited to fish for whales, according to the contents of a Declaration by the Hon^{ble} Company sent to vs by this magazeene ship. The which declaration at a more favourable time is to be published at large.

(6) All manner of persons in whose custodies such Books as are entituled The Just and vniust proceedings of the Sum̄er Islands Company Printed and Published by the order of M^{r} Perient Trott of London Merch haueing been declared by the Hon^{ble} Company to be scandalous, and by them required to be

deliuered to the sheriffe of these Islands, Wherevnto Wee require and order all manner of persons to giue obedience accordingly.

(7) A Law made 14 June 1676 by the Hon^ble^ Comp. at Sadler's Hall Requiring that all shipps belonging to strangers or Inhabitants arriueing at these Islands shall anchor, and lye in Castle or Towne Harbor, and shall paie Ports Duties accustomed of Powder, Pilotage, and Watermoney.

(8) A Law that all psons having Lands in these Islands shall enter their clayme, and that all Deeds and conveyances of Lands shall be registered here in the Secretarys office, and that married women are to be examined for their consents.

(9) A Law making fforfeit all such goods and commodities as are usually imported into these Islands in the Company's Magazeene shipps. In case the same be imported hither in any other shipps, alsoe for the seizure of Tobacco and Cedar sent aboard shipps to be transported without Lycence.

(10) A Law against burning of Cedar in boyling of sugars, And for raiseing a Duty and imposition of 4^d per Gallon on such Rums as shall be imported into these Islands, towards defraying and support of the public charge and expense of the said Islands and government; and towards the easing of the Inhabitants from such Levies, Taxes, and Impositions as heretofore have bin imposed on them.

(11) A Law that none shall sell Drinke or Liquor without a license, and for appointing how many shall be licensed.

Ffinally haueing giuen you the hedds of the Hono^{ble} Companies' Lawes aboue mentioned, the Secretary being scanted of time for transcribing the Lawes at large, I thought it my dutie to publish in breife, that none may pretend Ignorance, the Company requiring myselfe and councell, and all other their officers to put the same in effectuall execution, to which I do require all persons to give obedience uppon paine of such punishment as the said Lawes shall inflict.

Given under my hand at S^t Georges the 10th day of March 167$\frac{6}{7}$ together with the publick seale of these Islands, hereunto affixed.

God save the King, and the Hono^{ble} Company

Signed Jo. Heydon.

43. To the Hon. Sir John Heydon Kt. and Gouern^r with his worthy Councell as Assistants. The humble Request of Capt. John Darrell S^r on behalfe of his son-in-law Ezra Reynalds and others, March 20th 167$\frac{6}{7}$.

Humbly requesteth that y^r Hon. and Councell will give leaue and Lycence to the aboue named persons to draw off their Estates from Newe Prouidence to this Island from whence the foundation and grand effects was first remoued; since now haueing the happiness of sentring (*sic*) their persons here again vnder your Hon^{ble} Gouernment and protection; formerly conceiueing the remoual of their persons and Interests from hence would haue proued to the aduantage of their welbeing and the good of the collony. And now finding by experience that God by Prouidence hath otherwise ordered it. And haueing seueral seruants and slaues in that Island of Neue Prouidence to the number of ffourteene being great part of thier estate and Interest Humbly desireth They may haue y^{r} Hon^{r} and councells Lycence to bring them hither againe vnder your Hon^{rs} Gouernment Seuerall of them haueing bin transported from hence And some of them borne there, the rest purchased there seuerall yeares ago And not being negroes or molatoes only bought or sent for to make sale here To the breach of the Hon. Companies Lawes or the prejudice of the well being of these Islands Humbly craueth y^{r} Honor and council Lycence for their Returne hither which Lycence will be thankfully imbraced A shipp being hired for their transport hither. If your Lycence bee not granted, it will be a totall ruine to your honors poore Requestants In behalfe of whom I submitt myselfe to the good pleasure of y^{r} Honor^{s} and Councells com̄and in all obedience while

John Darrell Sen^{r}

The names of the Slaues returned and brought from Newe Prouidence according to the contents of the Petition aforesaid in the Barque Resolution. Samuel Rayner mast^{r} there of, the which came to anchor in the Towne Harbour the 31 daie of Maie 1677, being in number 11, videlicet

Tony Moreea
Bess
Mingo
Ophe

Tom ffardinando a mulatto borne in New Providence
Mall a negro borne in Providence

Black Jack*
Tom*
Hagar*
Cesar*
Tom Molagasso*

* these negroes sent from hence formerly to New Prouidence

44. At a Council Table 10 April 1677.

Then put to the question what sallarie shall be allowed a Gager and Collector for his gaging and collecting of foure pence sterl^{g} per Gallon for what Rum shall be imported into these Islands. Ordered that he be allowed £20 sterl^{g} per annum

45. At the Assizes held 11–13th June 1677.

(1) A charge of Infanticide. Bill ignored

(2) A charge of Blasphemy The court thought fitt to order that Samuel Burton do appear before Mr Sampson Bond minister in order to his conuincing him of the heinousness of his aforesaid great Transgression As likewise that he will be pleased to draw a form of acknowledgement accordingly, and that he the said Burton repeat the same submissively and orderly in Pagetts Tribe Church the next, or next after following Lords daie when Mr Bond shall there preach. It being likewise ordered that the said Samuel Burton before the breaking vp cf the Court doe put in Security for his good abering until the next assizes.[1]

(3) Whereas Solomon Robinson, contrary to the companies orders And in contempt of this Gouernment hath brought in a woman Quaker called Elizabeth Carter Ordered that in case the said Solomon doth not forthwith enter into a Bond of £100 sterl with good securitye to carry or cause to be carried off the said Carter to the place from whence shee came or some other Plantacon by the first shipp that shall saile from hence And in the meane tyme keepe her on board, not suffering her to goe on shore And to defray all charges that shall accrue by her being brought hither. Contrary to the Lawes afore said That then he be committed to the marshalsie vntill hee shall submitt as afore said

46. At a councell Table held in the sessions house at St. Georges the last daie of October and the first daie of Nouember 1678.

(1) Ordered that what Powder monie Capt John Hubbard Sheriffe hath now in his hands, be paied into this present yeares Leuie for the ease thereof

(2) The attestation of Ensigne Edmond Euans, who being sworne, saith, That about the latter end of September last past goeing to Captain Ffancis Dickeson's House Comandr of Southampton Tribe Band, according to the dutie of my place in order to an exercise that Daie. I meeting of William Righton Junr in the waie The said Righton did aske whither I was goeing with that Redd Ragg which I had vppon my shoulder. I the said Euans made answer With these colours I am goeing to serve the kinge ; which thou refusest to doe The said Raighton

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[1] Samuel Burton appears by the language attributed to him to have been a Quaker, bearing testimony against what he regarded as the idolatry of orthodox Christianity. The words are too shocking to be repeated, but admit of a construction which frees the speaker from the charge of intentional irreverence.

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replyed the time is coming ere long Thou wilt be ashamed to carry them.

(3) The examination of M^r^ William Righton Jun^r^ who acknowledgeth That he did meete with Edmond Euans as aboue said. And did also aske him whither he was goeing with that Redd Ragg And further saith that hee did saie That the tyme will come, That if thou dost liue long enough thou wilt be ashamed of it.

(4) Then ordered. That the aforesaid William Richton be forthwith comitted to the Marshalsie there to remaine vntill hee shall acknowledge himself to be indebted in the some of £100 st. to his maiestie, and two sureties in £50 st a peece ffor his the said Righton's appearance at the next Gen^r^all assizes Then and there to answer for what shall be obiected against him in behalfe of his maiestie, and to bee of good behaviour towards all his maiesties good subiects.

The next assizes were held 9th to 19th of December 1678 when he appeared and was quitted by Proclamacon.

47. The Governor's usual Proclamation after the assizes is dated January 17, 167$\frac{8}{9}$, and adverts—

(1) To a great neglect of late years in the administration of the Lord's Supper, referring to an order of the Company dated 26 Oct. 1676 (*ante*, p. 444), to which strict obedience is enjoined,

(2) Orders all officers to be strict in preventing the sailing of boats on the Lord's day, and to proceed against persons who absent themselves from church.

(3) Prohibits catching by net such fish as bite at hook and line.

(4) Orders the extirpation of 'a badd and stinking weede that beares a prickle burr, the which, when it is drie it is full of black flatt seeds, which if suffered to grow may be very destructive to the Inhabitants of these Islands, by reason of the venemous and poisonfull nature thereof.'[1]

(5) Orders proceedings against parties 'making upp Tobacco deceiptfully without stripping of the staulkes as formerly they have vsed to do.'

(6) Prohibits the use of button-wood for firing.

(7) Enumerates a catalogue of prevalent sins and vices, attributes them to the neglect of all officers, and appoints Sunday, 30 January, as a day for humiliation, fasting, praying, and seeking of the Lord to avert His judgments.

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[1] This 'bad and stinking weed' was doubtless the Datura stramonium, which is still common in cultivated grounds, as is D. tatula also. I have to thank Sir Jos. Hooker for the identification.

48. Extract from Pembroke Parish Register, 18 July, 1677.

It is ordered by the Justice and the Churchwardens, and it was put to the Vote, that euery person should bring in eight dozen good leaves [Palmetto] to y^e^ thatching of the Church apeice, this daie sen'net, wich will be the 25th day of this present July, And if any person shall be refractory and not bring in his Leaves according to the order, he is to pay to the Church wardings the full & just sum̄e of 1*s*. 4*d*. agreed vpon by the maior part of y^e^ tribe And this order is alwaies to stand for a Lawe amongst vs euery time we haue occasion to thatch the Church.[1]

Will. Pett, Justice

David . . . }
Will Stafford } Churchwardens.

49. Att a Generall Court held for the Som̄er Islands Company ffriday 24th August 1677, at Sadlers Hall.

(1) The Grand Committee made report that they have considered of what Sir John Heydon had propounded about Negroes. And also what writt in the Generall Letter about the same. And also the Petitions of severall to have a supply of Negroes, and to have the Companies Law prohibiting the bringing in of Negroes, to be dispensed with; and that it was their opinion that the said Law should not be dispensed with, but that the Inhabitants might if they wanted, procure white servants from England, or be supplyed amongst themselves, if they would put in Execution the Law for putting out Children to service and to be apprentices. This Court doe agree with the Report of the said Com̄ittee, And Order the same accordingly. And doe order that the said Law against bringing in of Negroes be not dispensed with, but exactly and carefully executed.

. . . . . .

(2) The same Comitte reported that they found by the Letter, received from Sir John Heydon, that he had seized seven

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[1] The same Register contains a later entry of considerable parochial interest, the trees referred to being probably some of those still marking the old limits of the Churchyard :—

'Be it Remembered y^t^ upon the 24 day of Oct 1717. The dubble row of cedars was planted round the Church in Pembroke Tribe all within the bounds of the Church yard, and the 7th of November folloing the rafters were raised upon the new Church and it is hoped it will be finished in four moneths; this memorandum entered by S S.' The trees, or many of them, still remain.

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Negroes, consigned from Barbadoes to the use of the Right Hono^{ble} the Earle of Thanett, and had putt them into the hands of his Agents untill further Order from this Company. And that the said Comittee were well satisfyed by severall of this Comittee, whoe have discoursed with the said Earle about the same, That the said Negroes were by him sent for before the makeing of the Companys Law, and soe not within the Intent thereof, which being taken into consideration, It is ordered that the said seizure be and is hereby discharged, And that the said Earle, his Tennants and Assignes shall have, keepe and retayne the said Negroes, Notwithstanding the Law of this Company, or anything therein conteyned to the Contrary notwithstanding. And that the said Earle, his Tennants and Assignes shall hold and enioy the same accordingly.

(3) Upon report of the Grand Committe that the Islands would in all probability afford a more than an ordinary crop of Tobacco this year and that it would be convenient for the Company to empower their Governor and the Commander of their now Magazine ship to hire another ship in the Islands to bring away the residue of such Crop of Tobacco. It is ordered that the Deputy Governor of the said Islands and the Commander of the Company's Magazine ship the John now bound on a voyage to the said Island be and are hereby authorised and empowered (in case the said ship John will not bring away all the Tobacco's of this years growth) to freight and hire for this Company such other fit ship or vessel as shall be able and sufficient to bring away the residue of such Tobacco: and if there shall not be sufficient of Tobacco fully to freight her, then to make up her lading with Oranges on the Company's account, and the Company do hereby appoint M^r Arthur Jones, M^r John Bristow Sen^r, and M^r John Bristow Jun^r, to be their factors for buying thereof, and Capt Norwood now Commander of the said ship John being acquainted therewith did agree and promise to do his utmost in hiring such ship or vessel, and that he would tarry for her and bring her with him. It is also ordered that if the Company's Magazine ship will carry and bring away all the said Tobacco and that the Governor and Council shall judge there is in the said Islands plenty of large and good oranges sufficient to lade such a vessel as will bring home four hundred chests of oranges or thereabouts, then the said M^r Arthur Jones, M^r John Bristow Sen^r, and M^r John Bristow Jun^r, are hereby appointed to be the Company's Factors to freight a vessel for bringing away of the same, so as they do not exceed four pounds the ton reckoning ten chests to the ton, and they are to buy and to provide Oranges for her lading.

RI: BANNER Secretary.

50. The branch of marine business called 'wrecking' has many crooked ways of victimizing underwriters and owners of shipping, one of the commonest of which is the condemnation of a ship on a pretended survey. The following offers a healthy contrast to not a few documents which have since been concocted, by collusion between masters of ships and members of Boards of Survey, to procure the forced sale of a vessel :—

Report of Survey on a Ship at St. Georges, the 28th September 1677.

We, the undernamed persons, by order of Sir John Heydon, Knight and Governor, and upon the request of Mr. Robert Richardson, Commander of the Shipp Marygold of London, do hereby certify that wee went on board the said shipp and do find her to make som water, and that in the space of one hour shee will require about two hundred strokes at the pumps to ffree her, the which is but ordinary for shipps to doo and yet make many good voyages. Wee doo also finde abafte, between windward water neare to her sterne-post som of her sheathings broke off and that her rudder hath bin something shatteredd but now seems to be mended. But for any other defect we see none but according to the best of our judgments doo judge the said shipp of a sufficient capacity and strength to proceed on her intended voyage without unloading or careening. This we deliver as the utmost and best of our judgments, so far as wee can see into the ability and service of the said ship, and witnesse our hands this 28th September, 1677.

Thomas Outerbridge,
John Welsh, Shipwright,
James Flaxman, } Masters of
Thomas Laxford, } Shipps.

The daie and yeare above written the aforesaid Thomas Outerbridge and John Welsh, Shipwright, and James Flaxman and Thomas Laxford, Masters of Shipps, have appeared before me, Sir John Heydon, Knight and Governor, and have attested upon oath the service of the ship Marygold aforesaid now riding at anchor in the Town Harbour according to the request of Robert Richardson, Commander and the Carpenter and others of the Shipp's company. In testimonie thereof I have hereunto set my hand together with the publique seale of these Islands hereunto affixed.

Henry Tucker, John Heydon.
Secretarie.

51. Extracts from a General Letter, dated London 1st October 1677.

(1) We have continued Sir John Heydon Knight our Governor and Captain General.

We have chosen Capt John Hubbard to be our Sheriff, to whom we have sent our Commission.

We have continued Henry Tucker to be our Secretary.

Provost Marshall, John Bristow Senr is continued.

We are well pleased that the continuance and confirmation of Sir John Heydon hath been unanimously approved of, and is so pleasing to the Inhabitants, and accordingly you see we have continued him, and expect both he and you will endeavour the advance and interest of the Company; and in so doing you will promote the good and benefit of the Islands.

(2) We are satisfied with what you have writ concerning the Spermacetti, and in what you have acted therein; and that you have suspended execution upon those that have submitted, for it was not their fines but obedience we aimed at; and for such their submission and obedience, they are by us discharged of their fines, and for the future we expect they and all others will be very obedient to Government.

(3) You say that you stand obliged by Oath to do equal right between the Company and Colony, and that many Laws and Orders have come to you to be put in execution, which tend to the prejudice of yourselves and the people. If you had given us a particular of such Laws and orders as prejudice you and the people, and the reasons why and wherein, you might have expected us to have redressed the same, but until you descend to particulars and back them with good reason, we must say that all our Laws and orders are reasonable, and tend to the benefit and advantage of the people, and that we in Honour are, and hold ourselves as much, if not more obliged to do equal right between the Company and Colony as you upon your oath are, or can be, and when you have anything, to offer for the good of the Company and Plantation, tender the particulars of the same to us with your reasons, and we will do right therein.

(4) We have allowed the account of Mrs Jenour being £9 6s. 5d., and have ordered her payment thereof, and have considered of what you writ in her behalf, and have ordered her £30 for a Gratuity for the good services her late husband our Sheriff did us or what else she can demand of us by reason of his being our Sheriff.

We sent you a Copy of Thomas Ward's petition, and ordered you to return your opinion what was fit for us to do therein.

(5) Your last General Letter of the 25th May brought us an

Account of M^r^ Samuel Trotts arrival in the Charles, and the Letter he delivered you, and his demand of the whole utensils, and the late recovered Sperma, and that he moved for liberty to carry away Tobacco. We approve and take well and thank you that you did not allow their request, and if so, suppose he will have little cause to brag of his voyage. You say you do not approve of M^r^ Trott and M^r^ Leach their attestations, but that a ship of 300 Tons will be able to carry the produce of the Islands, and accordingly such a ship we now send you, and the same ship and Commander you desired, being the John of London, Captain Mathew Norwood Commander. We hope this voyage will make him some amends for his last, and hearing there is like to be more than an ordinary Crop of Tobacco this year, if our Magazine Ship will not bring away the same, we have taken care by our Order of Court of 24 August last for our Governor and Commander of the said ship to hire another ship, a copy whereof we send you and expect its performance, and have also delivered our Captain another copy, of whose performance we do not doubt. We have appointed the stay of the said Ship to be 40 days and no longer, and we require you the Governor and Council to take care that she be not retarded beyond that time, nor upon any pretence whatsoever you permit or suffer any ship or vessel to take in any Tobacco or goods at the said Island till our said Magazine Ship be first laden, and that you cause to be laden on board our said Magazine Ship John, all the crop of Tobacco of the growth of the said Islands, of this present year 1677 if she be able to receive the same, and that you cause the residue of such Tobacco to be laden on board such ship or vessel as our said Governor and Commander shall according to our said order hire for the purpose, and we expressly order that if any person shall refuse, neglect or delay to lade his Tobacco on our said Magazine Ship, or if she be full, then on our said other ship to be hired as aforesaid (they or one of them being able to receive the same) that you do take due and effectual care that such Tobacco be not carried out of the said Islands in any private ship, but that you stay and secure such Tobacco in the Islands until the return of our Magazine Ship or such ship as we shall appoint, and none other. And to the end no person in the Islands may plead ignorance or excuse, we command you our Governor immediately upon arrival of our said ship to issue out your Proclamation accordingly. And we command you the Governor and Council at the departure of this our Magazine ship, and such ship as shall be hired to come with her, and of every other our Magazine ship that shall come; to take and receive a certificate from the Captain and purser of every such ship, whither she could take in any more Tobacco or not, and transmit the same or a copy thereof attested by our Secretary.

(6) After George Bullen (by you sent home prisoner for Treasonable words against his Majesty) had received some days imprisonment in the Tower, his Majesty was gratiously pleased to pass by his offence and order his discharge.[1]

(7) We doe approve and allow of what you have done in suspending Mr William Milborne from the Council for words against his Majesty, we have had the attestations you sent us about such words under our consideration, and finding the witnesses to differ very much one from the other in their evidence, we have desired our deputy to attend one of his Majesty's Secretaries of State with such attestations, and take his directions, but his Majesty being at present out of Town, you must not expect our answer to the same till our next general Letter.

(8) We thank you the Governor and Council for your care in hindering Mr Trott from shipping his Tobacco in a private ship; We require you to continue so to do, and let neither Mr Trott nor any other person make use of private ships.

52. We learn from a Pamphlet printed in 1682, that public disputation with the Quakers was held by the Rev. Sampson Bond before the Sheriff and some of the Justices of the Peace, on 1st May, 1678.[2] The chief disputant on the Quaker side was Francis Eastlock, but Wm. Wilkinson, Wm. Bullock, Patience Bullock his wife, and others took part. Bond maintained,—

(1) That the Quakers pretended Saviour within him, is not the true Christ, but the false Christ, the Devil.

(2) That the main end of the Quakers meetings in these Islands is to make the Lords Christ, his Holy Spirit, his Angels and Apostles, all lyars and false witnesses of God.

(3) That the prime principles of a Quaker are the same

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[1] George Bullen, or Bulleyne, master's mate of a New England ketch, was indicted May 2, 1677, for treasonable words against his Majesty—'That the king was a very swarthie man in the face, but of a cleere skin, a very hard-looked man, and he said, If I were a Judge, and he brought before mee, I would hang him for his looke.' He pleaded drink, but was sent home a prisoner in the magazine ship.

[2] 'A Publick Tryal of the Quakers in Bermudas upon the 1st day of May 1678. By Sampson Bond, late Preacher of the Gospel in Barmudas. Boston in New England 1682.'

It bears the quaint and deceptive headline, 'The Quakers in Barmudas Tried, found Guilty, Sentanced and Executed,' which is explained by a passage in the text—'Being found Guilty, they are here sentanced, and brought forth unto the deserved execution of the Presse.'

held and professed by the Beasts which Paul fought with at Ephesus.

[Bond being the historian, we naturally hear that the whole charge, being proved by the testimony of the Holy Scriptures, was found by the Sheriff and Justices of the Peace a true and just charge. His preface, which is curious, will be found in the Appendix.]

53. Memorandum. Maie the 8th 1678.

That Daniel Johnson of St Georges Mariner hath engaged at his next returne from Barbadoes And at his saileing from these Islands for Virginia (whether hee is purposed to goe soone after his returne as aforesaid) then to carry off an Indian man (lately seized by the Sherriffe) and there to dispose of the said Indian according to the sentance of the Honorable Companies Order, And in case he the said Johnson shall faile of soe doeing That the said Daniel shall forfeit tenn pounds sterling to be by him paid to the Sheriffe of these Islands for the time being ffor and in behalfe of the Honble Companie According to their order prohibiting the bringing into these Islands negros Indians and Molattoes.

Signed Daniell Johnson.

54. To the Honble Sir John Heydon Kt. and Gouernor and his Councell.

The humble Petition of Elizabeth Axton humbly sheweth

Whereas there is great probability of and preparation for Warr in St Christophers betweene the English and the Ffrench —Your Petitioner being an Inhabitant there, for feare thereof, and dread of the rapine and fury of a conquering enemy, the which once already your Petitioner hath felt, to prevent the like damage, did think fitt to transport herselfe and negroes into these Islands to bee protected vnder yr Honor and this Gouernt and whereas your Petitioner since her arrival here, is giuen to vnderstand that the Honble Company haue made an order that no negroes are to be brought ashore in these Islands vnder the penalty of fforfeiture: by reason whereof (your Petitioners estate consisting most in negroes) durst not put them ashore without leaue and Lycense from your Honr and Councell first had and obtayned And since your Petitioner neuer intended to expose them for sale but that they should be secured from the hands of the enemy. The premises considered your Petitioner humbly prays That your Honr and Councell would be pleased to giue her Liberty to take her negroes.

55. At a Council of Warr held in the Sessions House at St. Georges the 14th daie of maie 1678.

Being then and there present :—

Sir John Heydon Knight Gouernor & Captaine Gen^{r}all
Capt John Hubbard Sheriffe
Capt John Rawlings
Capt George Hubbard
Capt Xistopher Burroes
Capt William Peniston
Capt John Darrell Jun^{r}
Capt^{n} Jonathan Stokes
Capt^{n} William Keele
Capt^{n} Francis Dickenson
Captaine Lieften^{t} John Bristowe

Lieften^{t} William Jones
„ John Riuers
„ William Burch
„ Samuel Brangman
„ Boas Sharpe
„ Henry Haruie
„ Edward Johnston
Enseigne Edmond Euans
„ Michael Burrows
„ Henry Tucker

(1) Then agreed vppon That vppon Mundaie the 20th daie of this instant Maie, the Captaines of the seuerall companies doe, with their Souldiers, meete in the respectiue mustering places at 8 of the clocke in the morning. And that the Captaines with the assistance of the Counsellors of the respectiue tribes doe then and there appoint a meeting of the Inhabitants of each Tribe, to be vppon the im̄ediate following daie without faile, by eight of the clock of the morning at the respectiue Churches, where the Captaine or justices are ordered to declare to the Inhabitants how necessarie it is for the good and safeguard of the Islands, That the Castle Harbor be speedily blocked vpp. As likewise that in regard there is plentie of Iron of the Companies Store in the Sheriffs hands, and that Timber treese (to be taken off the Public Lands) are to be allowed towards the forwarding so necessarie a Worke That therefore the Inhabitants will be moved to consider of the charge of the makeing of the Iron worke therevnto belonging for the finishing of the said Worke, and others as well as Housekeepers in the respectiue Tribes then and there redelie declare, or vnderwrite what proportion of Tobacco or monie they will allow and giue vnto the said counsellors at the next generall diuision for the carrying on the saide worke.

(2) Then ordered that all the militarie orders since the yeare 1672 be published at the head of each companie vppon Mundaie next That the soldiers and Inhabitants may not plead ignorance, but to obserue them accordingly As likewise that the Watches be obserued and kept in the Respectiue Tribes and at S^{t} Georges imediately after the 20th day of Maie aforesaid.

(3) Then Agreed vppon and ordered concerning alarmes

that after the Pilatts boarding of any ship out at sea, that in case his boate do not, within som conuenient time, returne from aboard thereof, that then it be concluded by the Lieften^{t} of the Castle, And Commanders of Fforts that the shipp is an enemies ship and therevppon do fier their Gunns for the alaraming the whole Island.

Three commissions follow.[1]

56. Extract from a Company's Letter dated Oct. 16, 1678.

(1) Wee minde you of A Law by us made the 14th June 1676, That all shipps shall anchor and lye in the Castle and Towne Harbor, And order that it be executed, And that you take care that the Pilott discharge the duty and trust of his place, and lett all Shipps Anchor within the Comands of the Castle and fforts.

. . . .

(2) Wee take notice what you write about the Law about Rumm, and that you will endeavour to prevaile with ffrancis Jones, or some other to undertake it. Wee know that if you were minded that it should be executed, you would laie your comãnds on him, or some other for doeing thereof.

(3) You desire an Assembly, partly upon the Consideration of the raiseing of Spanish Monie, but principally about Negroes. Our last acquainted you, that before wee raise the Monie, Wee would willingly have your reasons for the same. And about Negroes, Wee referred you to our Order of the 24th August 1677, and cannot but take notice that the last yeare you wanted Negroes, and so desired our Law might be dispensed, and now they are growne more numerous then convenient. And that our deceased Sherriffe was industrious in inquirie after Negroes brought in, but could not discover any, so that wee see they are brought in verie numerous, and yet not to be discovered; pursue our Law and said Order, and thereby you would not neede to write further about this Concerne.

(4) Our allowance to Justices we hold to be sufficient and find no reason in yours to advance the same, what you mention of the Statute 12 Rich: 2^{d} cap: 10: of 4*d* a day being allowed to Justices here. We know that none of our Justices ever receive the same, and if they did require it, they could have but 4*d* for the whole Sessions, for that our Law looks on the

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[1] As there is nothing in the Company's letter of October 1, 1677, to account for this alarm, and as England was not at war, it is probably to be accounted for by the state of public feeling against the Papists, which culminated a little later in the pretended information of Titus Oates, and was a precaution against imaginary designs of Spain.

whole Sessions, though of divers days continuance, but as one day in Law.

(5) Wee have often put you in mind of A Law made in July 1671, for the preventing of makeing up of evill and unmerchantable Tobaccoe, but doe not finde that it is minded, for that Tobacco comes over every yeare worse then other, and are informed, That the bad makeing up of Tobaccoe was presented this last Assizes, And an order made therein, But you are not pleased to let us know thereof. Wee order you to send the same to us that wee may retorne it to you confirmed, and make additions thereunto if need be, that thereby so great an evill may for the future be prevented; and wee order you this yeare to take effectuall care in this so great a Concerne, both to us and to the Islands.

(6) We still continue our former resolutions and order that no dunnige kentellage or firewood be allowed this or any other Magazine Ship.

(7) And wee have also returned you, well fixed, All the Armes you sent us this yeare. Wee are sorrie that one of the Sakers broake, but by the Sherriffs Letter, partly understand the occasion thereof, ffor he writes that it was charged with 4 or 5 pounds of Powder, when as 2 pound at most is a sufficient Charge for a bigger gunn. If officers doe not understand their places, wee must put in those that doe. Let the broken gunn be returned us by this our Magazeene ship, and all other broken gunns now by you. Wee lament the Gunners death, occasioned by the breaking of the said gunn, And have, towards releife of his widow and 5 children, ordered them Tenn pounds, which M^r^ Noden will take care shall be paid accordingly.

(8) Wee have considered of the Petition of Neriah Hill, who first discovered the Sperma Whale, and have ordered our Treasurer to Invest ffive pounds in good Linnen for him, which Wee think fitt to give him, and doubt not but hee will thankfully receive the same.

(9) We take notice that you the Governor and Council have at a Council Table held the 20th April 1667, made the Constable's oath more strict than formerly, and well like thereof, and have confirmed the same, to which oath we are informed all the Constables have submitted but John Jennings. We know you need none of our directions to make him submit, and order you to deal with him and all refractory persons as they deserve, and let not Government be slighted or contemned.

(10) Our last acquainted you that Wee had appointed our Deputy Governor to attend one of his Ma^ties^ Secretaries of State with the Attestations by you sent us, concerning words spoken by M^r^ William Milborne against his Maiestie, and accordingly

care hath been taken therein. And his Ma^{ties} Secretary hath had the sight and perusal of all the said papers, And hath acquainted his Ma^{tie} therewith, Whoe takes well that Wee and you are carfull of his Honour. But his Maiesty is graciously pleased to forgive and pardon the said M^{r} William Milborne the said offence. You are therefore at his Returne to receive him kindly, and as one of his Maiesties good subiects, And discharge the Recognizance you tooke from him. And wee expect he will accordingly demean himselfe. And that hee and all others will be more carefull of their words for the future, and that neither he, nor any amongst you will have the least thought, word or deede, against so Good and Gratious a Kinge, whome God Grant long to Raigne over us.

57. Bermuda and the Turks Islands.

The Turks Islands, now usually regarded as belonging to the Bahamas, are in a very special manner connected with the Bermudas. They lie due north of St. Domingo, and derive their name from a species of cactus, *Melocactus communis*, commonly called Turk's-head in the West Indies, which abounds there. It is claimed by the people of Bermuda that they were the first to discover their value for the production of salt, and that they virtually took possession of them at least as early as the period we have reached; although, therefore, I have found no documentary evidence on the subject, this is the place to notice them.

It was the practice of some of the Bermuda planters to repair with their slaves to these Islands every year, to make salt, and they did so without molestation from about 1678 to 1710, when they were attacked and driven away by the Spaniards. The Spaniards were in turn dispossessed by a privateering expedition sent soon after from Bermuda under Captain Lewis Middleton, and much petty warfare was carried on between the parties for the next forty years. In 1764 a French flotilla from St. Domingo attacked the Bermudian salt-rakers, destroyed their houses and effects, and carried them off prisoners (for which they ultimately paid an indemnity). This led to investigation of the real ownership of these small islands, resulting in a just decision that they belonged to the British Crown, but an unjust one, as it was contended by the Bermudians that

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they also appertained to the colony of the Bahamas (28 Geo. III., cap. 6). The salt trade was at that time of vital importance to Bermuda, the Legislature of which long and earnestly protested against the right of the Legislature of the Bahamas to tax their salt. Their argument was very ably urged in a pamphlet published in London by Mr. John Harvey Tucker, under the signature of 'Isocrates,' in 1803, for which he received a vote of thanks from the Bermuda House of Assembly, and a gratuity of 100*l*. The question has ceased to have any commercial importance to the colony.

58. We now come to the beginning of the end of the Bermuda Company, in a succession of petitions addressed by the inhabitants of the colony to the Crown, which could not be disregarded. The complaints of the planters did not at first fall on sympathetic ears; but they were too well founded not to prevail at last, and, as little has been hitherto known of the struggle, or of the degree to which it occupied the attention of the Government, which was about this time embarking in a great constitutional conflict with the chartered municipalities of England, it will be traced at some length. Copies of a great number of the documents quoted were furnished by the Committee of Council for Trade and Plantations to the Company, and by them sent out to Bermuda, where they are recorded; others have been found in the Public Record Office. For convenience of distinction and reference, the petitions following will be numbered; but one or two which have been already given may be considered as a part of the series; see especially Perient Trott's Petition, at p. 448.

Petition No. 1.—To the King's most Sacred Majesty.

(1) The humble petition of us Free-holders, Merchants, and Inhabitants of the Bermuda, *alias* Somer Islands.[1]

Humbly Sheweth,

Whereas your Royal Majestys Predecessor King James of blessed memory did on the 29th day of June in the 13th yeare of his reign, give and grant unto the first proprietors of those Islands sundry privileges and liberties, to make and establish such wholesome Laws to regulate and Govern your Majesty's Loyal subjects with, provided they were not in contradiction to the known Laws of your Majestys kingdoms, in obedience to which (may it please your Majesty) several good and wholesome Laws were made and enacted by the said Company, and confirmed by the Governor and Council and Assembly in these Islands.

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[1] 'Colonial Entry Book,' vol. xvii. p. 63, and MS. iv. p. 175. It was received by the Committee of Council, June 14th, 1679.

Now may it please your Majesty, many of the Proprietors have disposed and sold their Interest to Merchants and Inhabitants of these Islands, who did believe they should enjoy the benefit of such Laws as were at the first established. But the Company at London, contrary to all Law or justice by order to their Governor and Officers here (who will execute the same) do disseize and dispossess the Inhabitants of their Freeholds and Establishments without any trial at Law whatsoever, and have ordered that no more Assemblies shall be convened, so that the Inhabitants for want of an Assembly to press their grievances, are almost ruined with the Company's ordering and imposing unjust Taxes upon their Commodities, and making of your Majesty's poor subjects in a manner slaves; as by the annexed articles and agrievances (reference to them being had) at large will appear the premises considered.

We your Majesty's poor distressed subjects and Petitioners do humbly implore your sacred Majesty graciously to hear our just complaints and agrievances, and to order us your Majesty's poor Petitioners such relief as to your Majesty shall seem most convenient and necessary, and your Majesty's poor Petitioners shall, as in all allegiance of duty bound, for ever pray &c.

Signed John Stowe,
Thomas Smith,
Christopher Smith.

(2) The Agrievances and Complaints of us Freeholders, Merchants and Inhabitants of Bermuda *alias* Somer Islands.

Impris. The owners and possessors of Land in Bermuda are by orders and printed instructions from the Honble Company of Adventurers for Plantation of Somer Islands &c, their Governor and officers here, disseized and outed of their inheritance without any trial at Law.

2ndly Many of your Majesty's Subjects and ships bound from Jamaica and other Ports for the Port of London with full freight, many times prove so leaky that they cannot keep the sea, being destitute of provisions and water, ready to perish, and would put in for relief to furnish themselves with what they want, and pay punctually for the same, that so they may gain their intended Ports. The Government and Officers of the aforesaid Islands have prohibited and hindered them from coming in, unless they would pay the Port Charges, such as trading vessels pay, which is unreasonable; by means whereof they are constrained to run great hazards, and go unrelieved, which might with all convenience be spared, to the refreshment of your Majesty's subjects, and the relief of the Inhabitants.

3^rdly^ The Honoble Company have by their Orders to the Government and officers aforesaid, ordered to seize and take from the Freeholders, Merchants and Planters, 4^d^ out of every Gallon of Rum they bring from Barbadoes, notwithstanding your Majesty's Custom, four and a half per cent, is paid at Barbadoes by the owner thereof, before he can procure a coquet for shipping the aforesaid rum off.

4^ly^ Whereas the Honoble Company are bound by Letters patent to supply the Inhabitants with Ships every year, yet in the time of the late war with the Dutch, the Company aforesaid sent never a ship in two years time, so that the Inhabitants were left destitute not only of Merchandize, but of Arms and Ammunition; nevertheless the Freeholders, Merchants and Planters and Factors could not be permitted to consign their Tobaccos for the Port of London, in their own vessels or any other, but must keep it till that perish and be utterly lost; notwithstanding security was tendered for your Majesty's customs.

5^thly^ The Inhabitants and Freeholders of Bermudas are left remediless of making their sad and deplored condition known, for that we have no Assembly called as formerly; nor Commissioners come over to examine the proceeding of the late Governor and Council, according to the Honourable Comp^ys^ own Book of Laws and Institutions, intending to stifle the Inhabitants and Freeholders of their Rights and privileges they intended them at the first settlement.

6^thly^ The Freeholders, Merchants, factors and Planters many times have occasion to petition your Sacred Majesty or the Honoble Company for relief in many injuries imposed upon them; the Government in the Islands will suffer no petitions to come for England, but must be allowed and approved of by them, and if the scope of the petition touch the Government here for their illegal proceedings, then it must not be put in the Company's box, nor allowed of; and so the petitioners cry not heard nor relieved; for if the Petitions come not in the Company's Box by the allowance of the Governor and Council here, the aforesaid Petitions are slighted, buried in oblivion and never read.

7^ly Whereas by the Letters Patent, the fourth part of the Island is allowed and alloted for defraying the public charges of the Island, yet notwithstanding the Government of the Island do mulct and tax the Inhabitants, Merchants, Factors, and tradesmen, to pay a general Levy, as they call it, both by the Land and by the Poll; and upon refusal of payment do attach, seize, and condemn the goods of the persons refusing, and keep the same till they will pay; or imprison them till they do.

8^thly The Honoble Company have made a Law that neither Freeholder, Merchant, Factor, Tradesman or Planter shall bring from any of your Majesty's Plantations either Jamaica, Barbadoes, or any other Leeward Islands &c., any dry goods whatsoever; but they shall be forfeited, and the ship likewise.

9^thly The Honoble Company do prohibit Freeholders from building of vessels for relief of themselves and Inhabitants, the general good and welfare of the Islands; and also to the discouragement of Navigation and trade. That the Inhabitants may have neither ship nor goods, but what shall come from them when, and at what rates they please.

10^thly The Freeholders &^c do very much groan under the burthen of a want of Free Trade to dispose of their commodities for their best advantages, where and to whom they please, paying your Majesty's Customs, and not to be confined to send it to the Port of London, although it will bring the owner in debt; for no other purpose but that the Company may have a third part of the value of the Tobacco for duties, as they call it; by means whereof the Planter is discouraged from planting great quantities for freighting many vessels, when as they must but have one yearly.

11^thly The Freeholders &^c do complain that they are prohibited from carrying on of the Whale fishery, it being a design tending to the increasing of your Majesty's Customs, the advancing Navigation and trade, the employing of the Inhabitants and Tradesmen, and the enriching of the Island.

John Stow, Thomas Smith,
Richard Mathalin, Christopher Smith.

(3) At the Court at White Hall, May 16, 1679, present the King's Most Excellent Majesty in Council.

Upon reading the Petition of the Freeholders, Merchants, and Inhabitants of the Bermudas, alias Somer Islands, complaining of the injury they sustain by the Company at London trading, thither, and humbly praying his Majesty to hear and redress their Grievances. His Majesty in Council is graciously pleased to refer this complaint unto the Right Honoble the Lords of the Committee for Trade and Plantation (to whom a copy of the Petition is to be sent) who are to examine the whole matter, and to report to this Board how their Lordships find the same, with their opinion thereupon.

Robert Southwell.

59. At the Committee of Trade and Plantations in the Council Chamber at Whitehall 21 June 1679.

(1) An order of Council of the 16th May last is read referring vnto the Lords of the Committee a Petition of the ffreeholders merchants and Inhabitants of the Bermuda Islands, complaining of the injury they sustain by the Company at London, and therefore praying His Maty to hear and redress their Grievances, which are eleaven in number, contained in a paper annexed ; vpon this occasion their Lops take notice that on the 10th April 1876 there had been sent vnto the Governor and Company of the Bermudas a Circular Letter from the Committee, together with several heads of Inquiry concerning the constitution and present state of that Company and Islands belonging vnto them,[1] since wch time noe answer has been received Whereupon their Lops think fit before they enter upon the consideration of the present complaint, to summon the Company to give their attendance at such time as the Lord President shall direct, and to expostulate with them for this neglect.[2]

(2) July 4, 1679. The Company attended, and explained that they did not fail for want of respect, but by reason their magazine ship was not come. The Council order the following letter to be written :—

Council Chambers 5th July 1679.

Gentlemen,

His Majesty having been pleased by an order in Council of the 16th May last to refer unto the Right Honoble the Lords of the Committee for trade and foreign plantations a petition and complaint of the Freeholders, Merchants, and Inhabitants of the Bermuda Islands against that Company, their Lordships have commanded me to submit unto you copy therof, with their directions that you attend their Lordships on Wednesday the 16th instant at nine in the morning, in the Council Chamber at Whitehall, in order to make answer unto the said complaint. And whereas the same persons have since presented another complaint unto their Lordships signed by fifty seven Inhabitants; it is further thought fit that copies thereof be put into your hands, that you may be the better enabled to make your full defence at the same time, all which by their Lordship's commands I signify unto you, and am Gentlemen, your most humble servant,

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[1] See p. 428.

[2] 'Colonial Entries,' vol. cvi. 26–7.

Wm Blathwayt.

To the Deputy Gov^{r} and Comp^{y} of
the Bermuda Islands.

(3) The Company returned their answer on July 15, as follows:—

The answer of the Somer Islands Company as well to the Grievances and Complaints of John Stow, Thomas Smith, Richard Marthalin, and Christopher Smith, who call themselves Freeholders, Merchants and Inhabitants of Bermudas alias Somer Islands, as also to an Abstract of the Planter's articles against the Company.

1. No Freeholders or Possessors of Land have been disseized or outed of their Inheritance by any order or private instructions, without due proceeding or examinations, had according to the Laws and constitutions of the Company.

2. No ships are prohibited from putting into the Island, and in all places port charges are taken, and those in the Island are reasonable and employed for the public good, and the Company here receive no benefit thereby.

3. The Company have made a Law imposing the duty of 4^{d} a Gallon on Rum, and conceive the same to be reasonable.

4. The Company never omitted sending a Magazine Ship but one year, and that was in the Dutch war, when Imbargos were on all ships.

5. That there is a Law for the Governor to call an Assembly, and if there be just occasion and he neglect, the Company will give order.

6. The Inhabitants are not forbidden to send any public petitions to his Majesty or the Company, but private petitions of appeal betwixt party and party under five pounds, are not to be sent without approbation, and for sending over Commissions to examine proceedings of their Governor and Council, the Company have not thought it expedient so to do, there being no just grounds made known to them why such Commissions should issue.

7. If the Governor and Council do lay illegal taxes, it's without the Company's order, and upon complaint it shall be

redressed: But say the general lands allowed and allotted for defraying the public charge of the Islands are set aside and employed for that purpose, and that the same is not sufficient to defray the charge of Government.

8. Their Magazine Ship is sufficient to carry all dry goods, and none others ought to go without the Company's leave; this matter hath already been complained of to his Majesty in Council by M^r Trott and others, and upon a full hearing of Counsel on both sides, his Majesty was satisfied with the Company's managing their trade in a Magazine ship.

9. The building of ships in the Islands above five tons is prohibited; the which is done to preserve the timber for the necessary supply of the Island.

10. The Company's ship is generally sufficient to bring away all the Tobacco, and the Company do take care if any extraordinary crop of Tobacco happens that the Governor and Council do hire another ship to bring the remainder to the Port of London, and the bringing it to the Port of London doth secure his Majesty's customs, which otherwise would be in danger to be lost.

11. The Company having all Royalties, amongst which the Whale fishing is included, made a lease thereof, which is yet in being, and such whale fishing hath been at the request of several of the same Lessees or undertakers lately prohibited, because of several differences among them, and the Company have no benefit thereby.

12. No Tobacco ought to be brought from Bermuda but in the Company's ship, and if any private man should bring the Tobacco otherwise, the Company by their Charter have power to seize the same.

13. The Company do lay a duty on Tobacco which is wholly employed to support the charge of Government, and for above fifty years there hath been a duty on Tobacco according to the charge of Government, and the duty cannot be to the prejudice of the Inhabitants, whose duties altogether do not amount above . . . . pounds per annum, and if the Government could be otherwise maintained, the traders and members residing here would not lay this burthen on themselves.

14. The Company's Magazine Ship is sufficient to supply the Island, and such as she brings are to be had at reasonable rates, and the Inhabitants are well and constantly supplied.

15. If there be any unlawful distresses made, upon complaint made thereof, the Company would readily have redressed it.

16. The Forts and Castles are well fitted and never better for defence than now, and the people armed sufficiently to

defend themselves against any invasion, and the Company yearly send over a supply of Arms according to the Islands wants, and the intimation they receive from their Officers.

17. The Company have endeavoured to obtain their just tax or duty on Tobacco, according to the Laws and constitutions of the Company, the same being necessary for the support of the Government.

Signed by order of the Court 15 Julie 1679.

GILB. GERARD Dep:

60. In the meantime another petition had reached the Crown, probably brought by the magazine ship whose non-arrival was the Company's excuse for not having answered the Committee of Council before. She arrived in the Downs on June 21, but her mails may very well not have reached the Company on July 4, or not have reached them with time for consideration.

Petition No. 2.—To the King's most Excellent Majesty.

(1) The humble petition of your Majesty's most humble, loyal and obedient Subjects the Merchants, and Freeholders inhabiting your Majesty's Islands of Bermuda in America.[1] Shewing

1. That at the general planting of the said Islands, many of your Nobility, Gentry, Merchants and others were incorporated by the name of the Governor &c under pretence of a grant of the said Islands to some of them from the Virginia Company, long since dissolved.

2. That the said Company were then possessed of all the lands in the said Islands, and the Planters only their Tenants or servants sent thither at the Company's charge.

3. That the Peticērs with great hazard, labour and industry, have long since purchased, and are become owners of three quarters of the Land in the said Islands.

4. That the Company besides the alienation of their lands, are now so few that their Government is not practicable as it is directed by their Charter, nor have they traded as Company upon a joint stock for above 50 years last past.

5. That the now pretended Company, contrary to the Book of Laws, made by the true Company, before they had sold any Land, do impose so many taxes, payments, and intolerable hardships, a schedule whereof is hereunto annexed, keeping them under such slavish subjection and tyrannous oppressions, that

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[1] 'Colonial Entry Book,' vol. xvii. p. 69, and MS. iv. p. 178, received by the Committee of Council July 5th, 1679.

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being no longer able to endure them, your Petitioners did by their Assembly about five years since most humbly make their complaint, by petitioning your Majesty, and the said pretended Company likewise; but the Company concealed all the said petitions, gave your Petitioners no relief, but ordered that the Assembly should meet no more.

6. Humbly pray

That your Majesty will be graciously pleased to send them a Governor, impowering him to allow them such freedom of trade as is by the several Laws of Navigation enjoyed by all your Majesty's Subjects, (your poor distressed Petitioners only excepted,) and they will most cheerfully pay unto your Majesty all duties and Customs, as also fortify the Islands, and maintain their Governor without putting your Majesty to the expense or ever asking any thing towards it, the General Lands only excepted, which was by the words of the Charter ordered and at first set apart to that purpose only.

And your Petitioners together with all the rest of the Inhabitants of the said Islands men, women and children, shall ever pray for your Majesty's long, happy and prosperous reign.

(2) An Abstract of the Planters' Articles against the Bermuda Company :—

1st They turn the Freeholders out of their Inheritance without any trial at Law.

2nd They prohibit distressed Ships to put into their ports without paying Port charges, which is 1d per ton.

3rd They tax Rum at 4d a Gallon, after the Custom and all other duties are paid.

4th In the Dutch Wars the Company sent no ship in two years.

5th The Inhabitants are forbidden to have any Assembly, and to send any Petitions for any relief either to the King or to the Company but by the approbation of the Governor and the Council.

6th They tax the Inhabitants both by Land Poll for maintenance of the Government, and levy the money by distress when the General Land is sufficient to defray the charge.

7th They condemn all dry goods that do not come in their Magazine Ship.

8th They prohibit the Inhabitants to build any Ships.

9th The Company's ship is insufficient to bring the Tobacco only, and that to the Port of London only, which is at least a third part lost to the Inhabitants.

10th They prohibit the Whale fishing though they have granted a Lease thereof.

11th They seize both ships and goods that bring Tobacco from the Bermuda, and confiscate them to themselves.

12th They lay a Tax on Tobacco, which amounts to a third part of the profits of the Land.

13th They suffer the Planters to have no goods from England but what comes in the Magazine ship, and those at excessive prices.

14th When the Officers make distress for any of those payments they never restore the surplus.

15th That many of the Forts are quite fallen down, the rest so ruinous and decayed, which, together with the guns being most of them dismounted, and others unserviceable, that were the people well armed, which scarce any of them are, the place is not now capable of defending itself against any inconsiderable enemy.

16th That the Company do ordinarily charge the Inhabitants with debts under the pretence of duties not paid to them, and charge their Governor in the Island to seize their Goods and Lands, and imprison their persons, and that before any Trial had, whether there was one penny due or not, as may be instanced by several persons so served.

Signed by fifty-four inhabitants, whose names follow, viz. :—

Richard Apowen + mark
William Barnes
William Basden
Will. Burch + mark
* Christ. Burrowes Senr
Jeremiah Burroes Senr
John Burroes
Mick. Burton
* Thos Cooper + mark
* Joseph Cox
* John Dickeson
James Ffarmer
Henry Fford
Thomas Fforster
* Lazarus Ffrith Senr
* Richard Gilbert, Senr
* Thomas Hall Senr
Thomas Hall Junr
* Henrie Harvie
* Cornelius Hinson
George Hubbard
John Jennyns
Richard Jennyns
Edward Johnston
William Keele
Thomas Lotryll
Edward Merritt
* Solomon Middleton
Henry Moore
William Morgan
* John Morris Senr
John Morris Junr
Samuel Newton Junr
* John Painter

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[1] The names to which an * is prefixed are still borne in Bermuda by families of the class furnishing the magistracy and members of the Legislature.

* Anthony Peniston
* Josias Pitt
Stephen Righton
* George Smith
John Squire
William Stafford
John Stone
William Stone
* John Stowe
Joseph Stowe
John Stringer Sen^{r}
* Paule Trimingham
* William Tucker
Jonathan Turner
* Benjamin Wainewrighte Sen^{r}
John Wainewrighte
William Wayte
John Wentworth
* William Williams Sen^{r}
William Williams J^{r}
Edward Willis
* Anthony White
* John Young Sen^{r}

61. 30 July 1679.

This day being appointed to hear the complaints of the Planters of the Bermudas against that Company, vpon condition they would pay vnto the Company the charge of their last attendance, when for want of Counsel learned they had excused their coming to a Tryal, the planters pay vnto them Five pounds.

The first article of Grievances complained of by the Inhabitants being That the owners of Lands in Bermuda have, by order from the Company here disseized and outed the Planters without any Tryal at law, is now discussed by both partys The Company alleging that there is a power granted vnto them by Charter, to hear and decide all differences; and that noe Title was ever tryed in the Bermudas vntil the year 1654, at which time they had thought fit to constitute a court of Justice subordinate to the Company here; and that they have not only reserved vnto themselves ye Right of Appeals, but the hearing several cases at the first instance.

The Inhabitants argue in their own behalfe That the obligation of attending the Company here for the decision of Differences does oftentimes turn to their ruin, by reason of the great expense they are forced to bee at in coming soe far and the neglect of their Plantations at home That if after a tryal at Law in Island by a Jury (as happens in divers cases) The company shall continue to take upon them to reverse the Judgement and to make a different determination here by their own Orders, it will bee always in their power to favour one another and even to reassume the lands which they shall have devised to the Inhabitants.

Both parties being withdrawn, and their Lo^{ps} having fully debated the matter of this Article, agree that it does not appear that the company have any power by their Charter to determine matters of right as a court of Judicature at the first instance;

and that the Tryal of Causes originally by the Company here is illegal and ought not to be continued; and that in case the parties will not consent to refer the matter of the whole Complaint to the decision of the committee, then the Lords will Report that the powers of this Charter bee left to a Tryal at Law by a Scire facius, or Quo Warranto.

62. 21 Oct. 1679. Both parties are again present. The Lords adhere to their decision as given above.

The Petitioners by their Council proceed to the second article of y^e^ abstract given in by them against the Company, complaining that they prohibit distressed ships to put into their port without paying Port charges, which are 1 shilling per Tun The company argue the reasonableness of this imposition from the benefit such ships doe find in the protection and safety of their Ports, which must infer a due acknowledgement from them for the maintenance of the said Ports which afford them reliefe But the Planters arguing not only against the nature of the Tax, as imposed in noe other plantation, but against the Quantum as being a heavy summe: the Company doe at length confess that there is such a Duty established of 12^d per Tun, but declare that the same is never received Upon this article their Lordships think it very fit and reasonable that some duty be paid by all ships coming into Ports by way of anchorage, and for their Maintenance, but whether this tax of 12^d per Tun bee too great and burthensome they will take into their further consideration.

As to the fifth grievance, complaining that the Inhabitants are forbidden to have any Assembly, and to send Petitions for reliefe either to the king or Company, but by consent of the Governor and Council It appears that the people have no further right to Assemblys than is given them by the Company or the Gov^r who can best judge of the vse of them, and the Plaintiffs offering part of a letter dated the 26th of October 1676 from the company to the Governor and Council directing them for the future to let noe Petitions come without their opinions and thoughts concerning the same; their Lordship doe not think that this can amount to any denyal to permit them to petition the company, or that there is any hardship imposed upon the Inhabitants by this letter, it being very fit the opinions of the Governor and Council should always accompany their Petitions to the company for their better information And whereas the Inhabitants complain That y^e Company debar them from the liberty of Appeals and Petitions unto his majesty particularly alleging That about five years past the General Assembly had agreed on a Petition which is now read to his majesty, and sent it to the company to be presented by them, but that they stifled the same returning hard language to such as brought it. The Company confess the receipt of this Petition but deny their having concealed the same out of any designe to obstruct y^{e} relief to the Inhabitants, the effect thereof having been laid before His Ma^{ty} in council about three years past, upon a hearing between the Comp^{a} and Mr. Perient Trott.

Their Lo^{ps} doe hereupon agree to Report their opinion that y^{e} Inhabitants ought to have absolute liberty to present their peticons and appeals vnto his Ma^{ty} without any interposition or participation whatsoever.

Vpon the 7th article that they tax y^{e} Inhabitants both by Land and Poll and levy the money by distress, the plaintiffs produce the copie of a warrant signed by the Gov^{r} of Bermudas to distrain vpon y^{e} goods of y^{e} Inhabitants that should refuse to pay an assessment of Tobacco for the support of the Government And M^{r} Righton says that he has made complaint of this matter to the Compa at divers times in ten yeares without redress The Comp^{a} allege that if any Tax bee levied by y^{e} Gov^{r} without the consent of y^{e} Inhabitants (except what has been formerly established for the support of the Government) the same is against their order and contrary to a known law in these words viz That the Governor shall not lay any Tax vpon the lands in the summer Islands or vpon the y^{e} people and comoditys otherwise than by authority of y^{e} Generall Assembly to be levied and imployed as the said Assembly shall appoint.

The 8th Article that they prohibit the building of ships is thought frivolous.

And where as their seems to remain only two materiall points yet vndecided, viz Whether the Company have any right to lay taxes on y^{e} people without y^{e} consent of the Generall Assembly. And whether the company may recieve appeals from the sentances given in the summer Islands Their Lo^{ps} will hear them argued by both parties on Thursday in y^{e} afternoon.

Accompanying the votes of the Assembly for 1673, as already mentioned, p. 385, were two petitions, dated August 11, 1673. They were read at this meeting, as appears by the endorsement.

63. Thursday, 23 Oct. 1679. Present the Lord Chancellor and six more. The case is argued by council. 'The Plaintifs doe not think fit to insist any further at

present vpon these two points. And after a fresh discussion by the learned council on both sides concerning the right of original causes, both parties withdraw. Whereupon their Lo^{ps} after a long debate, agree to Report the minutes of their first meeting on the 30 July last, as alsoe that there bee an entire liberty given to the inhabitants of presenting their Petitions and Appeales vnto His Ma^{ty} without the leave or participation of the Governor or Council.' This Report was signed 30 Oct., and a letter directed to be written to the Company requiring them to furnish the Committee with all their laws and constitutions of government, together with the commission and instructions given to their Governor in the Summer Islands.

64. At the Court at White Hall the 14 daie of November, 1679.

Present:

His Highness Prince Rupert	Earle of Essex
Lord President	Earle of Bath
Lord Priuie Seal	Visct. Ffalconbridge
Duke of Lauderdale	Lord Cavendish
Marq. of Worcester	Lord Bp. of London
Lord Chamberlayne	Lord Ch. Justice North
Earle of Bridgwater	Sir Henry Capell
Earle of Sunderland	Sir John Earnle.

Mr. Seymour.

Whereas a Report from the Rt. Honble. the Lords of the Comtee. for Trade and Plantations was this day read at the Board in the words following:

May it please your Matie.

In obedience to your Maties reference of 16th of Maie last, wee have heard the complaint of divers Ffreeholders, Merchants and Inhabitants of the Bermudas against that Company, and being at severall times attended by both parties with their Learned Councell, the articles of grievances presented by the planters (many of them appearing of little weight and others being waved and passed over by the complainants,) were att length reduced into the particulars following.

Ffirst. The Inhabitants complain that they are forbidden to send any Petitions or present their appeals unto Your Matie. for reliefe, without the approbation of the Governor and Council of those Islands: for remedy whereof wee humbly offer our opinions that your Maties. subiects inhabiting those Islands ought to enjoy the comon influence of Your Royal Proteccon, and to have an absolute liberty of presenting their Petitions and Appeales unto your Matie. without the participation or interposition of any person whatsoever.

And whereas the inhabitants doe likewise complaine that the owners of lands in the Bermudas have by orders from the Company disseized and outed the Planters without any tryall at Law, wee have heard what could be said in this case by either party and the Company did alleadge unto us that there is a power granted them by Charter to hear and decide all differences, and that no title was ever tryed in those Islands untill the yeare 1654, at which tyme they had thought fit by their orders to constitute a Court of Justice upon the place, and that they have not only reserved unto themselves the right of appeals but of hearing divers cases att the first instance.

The Plaintiffs on the other side did argue that the obligation of attending the Company here for the decision of differences does oftentymes turne to their Ruine by reason of the great expense they are forced to beare in coming so farr, and the neglect of their Plantacons at home, That if, after a Tryall at Law in the Island by a Jury (as happens in divers cases) the Company shall continue to take upon them to reverse the Judgment and to make a different determination here by their own orders; it will be alwaies in their power to favor one another, and even to reassume the lands wch. they shall have demised to the Inhabitants: Besides that whereas formerly the whole company was resideing here in England, and that att present three parts of four of them being inhabitants upon the place, it is now just and reasonable that the Judicature should attend the major part of the company there. In consideration whereof and upon full debate of the matter of this article, wee are humbly of opinion that it dos not appeare that the Company have any power by their charter to determine matters of right as a court of Judicature at the first instance, And that the tryall of causes originally by the Company here is illegal and ought not to be continued, And that in case the parties will not consent to referre the matter of the whole complaint to the decision of Your Maties. Comittee. of Plantacons, [if Your Matie. shall so thinke fitt] wee cannot then but advise Your Maty. that the powers of this Charter be left to a tryall at Law by a Scire facias or Quo Warranto, All of which is most humbly submitted.

Radnor	Bridgewater	H. Coventry
Lauderdale	Bathe	J. Earnle
	Ffauconberg	H. Powle

Council Chamber, 29th October 1679

The said Report was thereupon approved in council and it is hereby ordered that in case the Company of the Sumer Islands will not consent to refer the matter of the whole complaint made against them by the Planters to the decision of the Lords of the Comtee. for trade and Plantations then the Powers of their Charter to be left to a tryall at Law by a Scire Facias or Quo Warranto.

John Nicholas.

65. The Company were not deterred by these proceedings from conducting their affairs in the same spirit as ever, and at this stage addressed the subjoined letter to the Governor and Council:—

Sadlers Hall 26 Novm. 1679.

Gentlemen

(1) Wee received yours of 28th Aprill last with the Letters and papers you sent in the Box by our Magazine ship the John, whoe arrived in the Downes the 21st June last. Wee now, according to your desire, returne the same ship and Comãnder to you (vizet) the John of London, Capt Mathew Norwood Comander, And order you to give her quick dispatch. Wee have appointed her stay fforty daies and noe longer, and require you that you cause to be laden on board the said shipp all the Cropp of Tobacco of the Island this present yeare 1679. And that noe Shipp or vessell upon any pretence whatsoever be suffered to take in any Tobacco or goods at the said Islands till our said Magazeene ship be first fully laden, and if she shall not be able to bring away this yeares Cropp, Wee order you the Governor and Councell to appoint som fit ship or vessell to bring awaie the residue of the said Tobacco to the Port of London, that soe noe psons may complaine for want of convenient shipping to send awaie their Tobacco, and recomēnd it to you the Governor and Councell to take care that the Companies dutyes bee secured, and expressly order you not to suffer any such Tobacco to be laden aboard any such ship, untill the person desireing to ship the same have by p.sons that have land or otherwise of ability in the Islds, and also the Master of the Ship receiving such Tobacco, entered into a Bond of a sufficient

penalty to the Governo^{r} for payment to us of the dutyes of such Tobacco, every of which Bond Wee order you to keepe, And when wee have received such dutyes Wee shall give you order to deliver upp such Bonds. But if default be made in payment thereof you shall have notice from us that no such Bonds may bee put in Suite. And as a further meanes to secure our dutyes, Wee order that the Captaine of such ship shall signe the receipts and Bills of lading after the forme of these the Comander of our Magazeene ship signes, some of which wee now send you. And if any person shall refuse or neglect to Lade his Tobaccoe on our said Magazeene ship if she be able to receive the same, or if not, then on such other Shipp as you shall appoint, or if such person refuse to secure the Companies Duties thereof in manner as aforesaid Wee then require you the Governor and Councell to take such course and care that such Tobacco be not carryed out of the said Islands in any By or private ship. But that the same Tobaccoe be stayed and secured in the Island untill such person will shipp according to our directions, and in manner and forme as aforesaid, That soe such Tobaccoe com home in our Magazeene Ship or such Ship as you shall appoint and none other, By meanes whereof his Maiesties and the Companyes dutyes will be both secured, and there will be an eqallity in Trade. And to the end all persons may have notice of these our Orders and conforme themselves thereunto, Wee comand you the Governor upon arrivall of our said Magazeene Ship to issue out your proclamation for the same. And at the departure of our Magazeene Ship receive a Certificate from the Master or Purser thereof whether she could take in any more Tobaccoe or not, and send the same to us Attested by your Secretarie.

(2) Here follows a list of officers appointed.

(3) Touching Mollatoes, Indians and Negroes, you tell us our Laws and Orders therein shall be put in Execution. Wee understand some are since landed and shall be glad to heare that you doe accordingly execute the same. But ffrancis Jones hath petitioned us for some Negroes, which wee have granted to him and send you our Order therein and expect your Complyance therewith.

(4) We have considered of the Petitions of Sara Appowen and Rachel Colson, whose husbands were slayne by fiering of Gunns in our service, and doe order that our Sherriffe pay to them equally £12 10s. that is to say £6 5s. apeece to each of them being resting in his hands of the Anchors he sold Capt Norwood towards the releife of the said Widdowes and their fatherles Children.

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(5) Wee are glad Mr Vaughan and his Sonne are safe with you, and setled in their respective Charges to your spiritual Consolacons, But are sorrie to heare that old Mr Vaughan came to a ruinated house, and that speedy care was not taken to put it in repaire. Wee order that it be forthwith done, and that the Ministers have all possible Countenance, encouragement and kindnes.

(6) As for Mr Sampson Bond, Wee refer you to our Order of Court herewith sent you, and expect you yield obedience thereunto, and accordingly discharge Mr Bond, and order that he forthwith quitt and leave his dwelling house and Gleabe, and that the same be lett and improved at the most rent, and an accompt thereof and of all other rents received from Gleabes dureing the Vacancye returned to us, and how such vacancye have bin supplyed, as wee writ in our last, a full Answer herein accordingly returned to us, and lett the other Ministers supply Mr Bonds place untill another come.

(7) . . . . Wee hope Capt Norwood will not this yeare complaine of the extreme and unreasonable bignes of Chests, it will be his owne fault if he doth, for wee have ordered him not to take in any above fifteene hundred waight. . . . .

(8) Woodford's ship sunk in the sea, but we take well the care you took for the prevention of her carrying away Tobacco privately, and that you cause the searchers to bring their tickets to the Secretary's officer according to our Order . . . if Woodford's ship had come safe home, notwithstanding all your care she had brought a considerable quantity of Tobacco, and by our Sheriffs Letter we are informed that Woodford hath given a fair warning to have more care the next time, and that thereupon our Law hath been again published which makes all Boats forfeit that shall carry any Tobacco or Cedar aboard, or out to Ships, save only our Magazine Ships, the publication whereof we take well and shall be well pleased at its execution, and also order that no Boats presume to go out after ships without the leave of you the Governor, upon pain of forfeiture, and order you to seize the same.

(9) We send you by this our Magazeene ship 101 new musketts: and 29 musketts repaired: 500 wt of musquet bullets: 1 Barrell flints: 12 Halbards: one Pattizon (Partizan) for the Gouernors Lieutenant: 2 Drums: 2 spare lines: 4 hoops: 5 setts of snares: 24 Drumheads: 12 cuttlices: 10 Barrells of Powder: 100 Collars Bandaleeres: 200 wt of sheete lead: 100 great Iron shot; 100 wt Barr shott, and one great Iron Gunn: what old armes you haue by you, send *home* the next yeare and they shall be returned well fixed.

(10) We take notice what our Sheriff writ in his Letter to

us about a small vessel that arrived with you the 22nd October 1678 Peter Andrews Master, the which came without our license, and take well the Sheriff his readiness to seize her, but very much blame you the Governor and such of the Council as hath hindered the same, for our Law was not (as you said) made purposely against Mr Trott, but is a General Law to be observed by all, and executed against every one that offends, and these small ships cheat his Majesty and the Company of their duties, and us of our Trade, for we take notice by the Sheriffs letter, this Andrews entered the goods he brought upon a Transire to Waymouth, and although you the Governor and Council had not thought fit to seize the said ship, yet you might well have observed what we writ in our General Letter of the 13th February 1676, that Mr Trott nor any other without License of this Company were to land any goods or Merchandizes in the Island, usually brought in the Company's Magazine Ship.

(11) We also take notice that the Owners Advice built by William Righton Junr in contempt of Government might have been seized by you, and notwithstanding the Waiters put on board of her, she brought a considerable quantity of Tobacco to the Port of London, an account of which we have taken out of the Custom Book, and transmit it you, and order that Eastersons, and his Sureties Bond be forthwith put in suit for recovery of the duty thereof, and send us an account thereof, and for prevention of these mischiefs for the future put our Laws of the 22nd November 1676, and the orders we have made against private Ships in execution.

(12) We take notice by our Sheriffs Letter, that there hath been received by you the Governor of Mr Jenour £9 2d for powder money and also received by you the Governor and Council of our now Sheriff £12 0 6d for powder money, it's said the same is by you laid out for Public charges. Let us have an account thereof by the next.

(13) We require the Commanders of Forts to look after their charge better than of late they have done, and see that the same be kept in repair, and bring in their bills for the same in due time to the Sheriff.

(14) It is proposed that we should settle two pilots, at each harbour one, and them to be also searchers, and under an oath, and to live at the Harbors to look after prohibited goods, as well brought in as carried out. Let your next give us your opinions therein, and reasons for the same, and the names of persons fit to be employed therein.

(15) By our last Letter we minded you of a Law by us made in July 1671, for preventing the making up of evil and unmerchantable Tobacco, and that the bad making up of

Tobacco was presented at an Assizes and an order made therein, and ordered you to send the same to us for to make alterations and additions thereunto, but you neither send the same, or one word in answer thereunto; but on the contrary neglect the executing of our said Law and Orders and the punishing of offenders, for we hear some persons have been detected for this so great a crime and passed by without punishment, we find the deceit increases and this year Tobacco came over worse than ever. Let your care be more than ordinary in this, that so much concerns both the country and us, and let this mischief be prevented.

(16) We still continue our former resolutions, and order that no Dunnidge Kintallage, or firewood be allowed this or any other Magazine Ship. . . . .

(17) There hath been lately presented to his Majesty in Council, Petitions and several articles against the Company, the which are chiefly managed by M^r^ Righton since M^r^ Trotts disease, copies of all which and our answers thereunto we now send you, the same have been heard several days before the Lords of the Council: upon their report an order of Council was on the 14th November instant made therein, a copy of which we also send you that so you may see the truth of the whole matter,[1] by the order you will find that in case we will not consent to refer the matter of the whole complaint to the decision of the Lords of the Committee for Trades and Plantations, then the power of our Charter to be left to a trial at Law by a *Scire facias* or *Quo warranto*; we have not as yet resolved which of the two propositions to take, those contests happening, we thought it not convenient this year to hear and determine Causes and Appeals, whilst our power to do the same was in dispute, and so no person is to receive any prejudice thereby, but let all things stand as they did. And so committing you to the protection of the Almighty, We rest

You very loving friends,

Richard Chandler,	MANCHESTER, *Governor*
Sam^l^ Smith,	Gilbert Gerard *Dep.*
Sam^l^ Smith Sen^r^,	George Waterman,
John Chandler,	Thomas Carfoote,
Thomas Tolson,	William Symonds,
George Waterman Jun^r^	John Skinner,
John Tucker,	Henry Dandy,
Hugh Noden,	Richard Bencham.

These for the Governor and Council of the Somer Islands.

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[1] See Petition No. 1, p. 466, and the 'Agreevances' following, but Petition No. 2, p. 473, appears to have been embraced in the same report.

66. The foregoing letter was followed by another which inclosed to the Governor and Council a copy of the Petition (No. 2) given at p. 473.

6th December 1679.

Gentlemen

Since the writing of the within written Letter (of 26 Novem) the Lords of Committee for Trade and foreign Plantations sent to the Company a Letter dated the first of December instant, and a copy of a new petition exhibited against the Company and require the Company to attend on Thursday last at ten in the morning, with an answer upon the Order of Council made the 14th November last, accordingly the Company attended and declared they had not acted otherwise than their Charter empowered them to do, and if his Majesty should think fit to try the power of our Charter at law by a *Scire facias* or *Quo Warranto*, the Company no wise doubted but their Charter would justify what they had done; and so the Company chose to have the Law decide the same, a copy of the said Letter and new petition is now sent you, all which I am ordered to signify to you, and am

Gentlemen, your most humble servant

Ri : Banner, Secretie

Sadlers Hall London the 6th of December 1679.

67. From a paper of ‘Issues on the Quo Warranto to be layd on Monday at the Kings Bench Barr’ (no date), twenty in number, we gather the following definite charges against the Company:—

(1) That they appropriated the issues and profits of the public lands to their own private use.

(2) Collected an illegal tax of 4*d.* a gallon on Rum.

(3) Imposed an illegal poll tax of 5*s* per head.

(4) Taxed every share of land 40 lbs. of Tobacco, although the public expenses were amply covered by the rents of the Public Lands, ¼th part of the whole.

(5) That in 1676 they made an order that no person not being a member of the Company should either import or export goods or produce except in their magazine ship, without their licence, under pain of forfeiture.

(6) Under colour of this order they seized and sold the ship a New England trader.

(7) They tried to exact an illegal oath of one Robert Steevens,

a member of the Company; and expelled him, and illegally fined him £50, for refusing to take it.

(8) By a Court 19 Apr. 27 Chas. II. (1675) they illegally ousted Perient Trott of divers lands without any legal proof or trial.

(9) They in like manner expelled and disseized Will. Righton, 1678, Thos. Lecroft, and Godheard Asser.

(10) They have not defended the Islands against Pirates and other enemies, but have permitted the Forts and Castles to run to decay and ruin.

(11) That when the places of Governor, Dep. Gov^r and 24 Assistants fell vacant in Easter Term 1677, they wholly neglected to elect other officers, as they should have done by their Letters Patent, and that some of those who remained in office, *e.g.* Sir G. Gerard, Sir Fr. Gerard, and several others, then chosen assistants, have no shares in the Company.

The document proceeds:—

The Bermudas Company originally consisted of 150 of the Chiefe of the nobility Gentry and merchants who had and were Proprietors then of the whole Island, and the Inhabitants then were only their servants and Tenants at half profit, and so continued the state of the company for some time, till at last those persons selling their Interests to the Inhabitants then and there Planters, and by divers of such sales the Company fell into the hands of those who had little or no Interest in the Plantation, and as it has been this last age all the members of the Company have not an eighth part of the Land of the Country The Government thus falling on the shoulders of men of little interest there, occasioned the miscarriages w^ch have since happened, and they having few or no Tenants there endeavoured their private lucre by oppressing the Inhabitants with illegal taxes, as the rate of 1*d* a lb on Tobacco which got them near £3,000 per annum. And the easier to make such Lawes they distributed shares to make voyces, as Pym's executors, having so divided them to 10 persons to make 13 votes. They being thus in power, hang draw and quarter, dispose of mens lives and estates at pleasure as by the Breaches assigned. They have set up a Scotch kirk viz Presbyterian parsons, and those they have maintained there have been allways such, never a Churchman there amongst them, nor a Liturgy ever used, so that their church as well as state Governm^t hath been all along Irregular and Phanatiq.

Noy and Hutchins who was formerly turned out of the Company for treasonable words, they in the late times of &c. (*sic*) viz about 2 years since, they receive him in again as a Brother to the Councel, so that the King had reason enough to suspect this Company and order this Information.

The pr.sent Company consists of Broakers Tobacconists nonconformist Ministers, net makers and Retailers of small wares, fit persons for the management of a Plantation!

68. At the Committee of Privy Council, 1 Dec. 1679. Present the Lord President (the Earl of Radnor) and five others.

A Petition being presented to the Committee on behalfe of the Inhabitants of the Bermudas praying that y^{e} Comp^{a} might bee directed to attend with their final answer concerning their grievances It is ordered that a copy of the Petition bee sent vnto the Company and that they attend with their Answer vpon the last order of council, which otherwise will bee pursued. The following Letter was thereupon written:—

Council Chamber December 1st 1679.

Gentlemen

Upon reading the enclosed Petition presented in behalf of the Inhabitants in the Somer Islands the Right Hon̄ble the Lords of the committee for trade and foreign plantations have thought fit that a copy thereof be sent unto you, and that you attend their Lordships on Thursday next at ten in the morning with your answer, upon the Order in Council of the 14th November last concerning the Somer Islands, or otherwise the same will be pursued according to the directions therein contained which by their Lordships I signify unto you, and am

Gentlemen, your most humble servant

W. BLATHWAYT.

To the Deputy Governor and Company
of the Somer Islands.

69. Petition No. 3. To the Right Hon^{ble} the Lords of his Maiesties most Hon^{ble} Privy Councell The Comittee for Trade and Plantations.

The humble peticon of the Merchants, ffreeholders, Inhabit^{ts} and Planters of Bermuda.

Sheweth

That in Maie last your Petit^{r} laid before his Ma^{tie} in Councill the severall Greivances and insupportable burdens they groane under by the indirect practices of the pretended Governor And Company of those Islands residing in and about London which his Ma^{tie} was gratiously pleased to referr to your Lordshipps, who was pleased to examine the first Article thereof, and which your Lordshipps did report the said Governo^{r} and Company have acted illegally and ought not to be Continued, which Report of your Lord^{pps} having bin read in Councill is Confirmed. But as yet your Petitioners are without releife, and inasmuch as the Right Honor^{ble} the Lords of his Ma^{ties} most hon^{ble} Privie Councell by their Order 14th Maie last have ordered your Petitioners in this matter to address your L^{pps} for redresse upon their whole Complaint, And to the end your Petitioners may receive releife, they have hereunto annexed a Copie of their Greivances with the Answers of the said Governor and Company and praie releife accordinglie, And that they may be encouraged in the waie of their Trade unto, and from the said Islands, and they shall most cheerefully paie his Maiestie the Duty of ffoure & a halfe pr. Cent, and submitt to such Goverēnt & Governor as his Maiestie shall please to appoint, and defray the whole Charge of the Goverēnt with the Geñrall Land at first by the Charter set apart to that purpose.

May it therefore please your Lordships to direct that in a short time the said Governor and Company be commanded to attend your Lordships for a final determination of these grievances, and that in the meantime your Lordships would be pleased to give order, that your Petitioners or any of his Majesty's subjects trading to these Islands may have no restraint put upon them for trade, in any of their own or other ships they employ, nor impositions or taxes on their goods unto and from thence, his Majesty's duties and customs excepted. And as in duty bound they will pray &^{c}.

Vera Copia Examined per Ri : Banner Secretie.

70. 4 Dec. 1679. The Bermuda Company attending wth their answer vpon the Petition presented on the first instant in behalf of the Inhabitants of these Islands, are called in, viz. Sir Gilbert Gerard Mr Alderman Chalenor Mr Banner Secr^{y} and others. As also on the other side Mr John Trott and Josias Pitts.

The Company by their learned council endeavoured to excuse their proceedings of Justice, and allege that all persons concerned in any cause before them are directed to withdraw when y^{e} same is heard before the Company Soe that the Inhabitants residing in the Islands cannot well receive any prejudice by determination of causes here But the Adversarys deny that this custome is indifferently practiced by the Company, and M^{r} Trott alleges that they took away 22 acres from his Father without his being duly heard.

At length S^{r} Gilbert Gerard in y^{e} name of y^{e} Company doth declare to y^{e} Committee That they will wholly rely on his Ma^{ties} favor granted to them in their charter, and only submit the legality of it and their proceedings vnto the Law. And their Lord^{pps} are therevpon of opinion that the Order in Council of the 12th of November last bee pursued. And that his Ma^{ties} Attorney General bee directed, for the prevention of further differences and complaints, to bring a Quo Warranto against that Charter bearing date the 29th of June in the 18th yeare of the reigne of His Ma^{ties} Royall Father.

A Report to this effect was read and approved 13 Jan. 1680 N.S.

71. At the Court at Whitehall 21 January 167$\frac{9}{0}$ Present The Kings most Excellent Majesty in Council, the following Report was read dated 22 Dec. 1679 :—

May it please yo^{r} Ma^{ty}

Wee have vpon a Petition presented in behalfe of y^{e} Inhabitants of the Summer Islands called before vs that Company. And, being attended by S^{r} Gilbert Gerard Dep^{y} Governor Mr. Alderman Chandler, and divers other members thereof, They have declared vnto vs that they will wholy rely on your Ma^{ties} Favour granted vnto them in their Charter and submit to the determination of the Law in all differences concerning the said Company Soe that wee are therevpon humbly of opinion that the order of Council dated the 12th Novem. last past bee pursued and that your Ma^{tys} Attorney General bee directed for the prevention of further difference and complaints to bring a Quo Warranto or Sciere facias against that Charter bearing date the 29 June in the 13th yeare of the Reigne of your Ma^{ties} Royal Grandfather, and against all other powers pretended by that Company.

(Signed) ANGLESEY C.P.S. H. POWLE
WORCESTER BRIDGEWATER

Hereupon Sir Creswell Levenz Kt His Ma^{tys} Attorney General was ordered to proceed accordingly, and a writ was issued in Hilary Term 1680 demanding of the *Gubernator et Societas Londoni pro Plantatione de le Somer Islands. Quo Warranto clamant habere tenere uti et gaudere diversas libertates privilegias et ffranchesias infra civitatem Londoni et insulas predictas, unde impetrati sunt.*

This cause was never brought to an issue. We read that—

After the expenditure of about £300 in prosecution M^{r}

Attorney was refused to be permitted to mend his plea by y^{e} Court and entered a nolli prosequi in Trinity Term 1682[1] whereupon the Lords of his Ma^{ties} Hon^{ble} Privy Council ordered y^{t} a new Quo Warranto should be brought, which was done accordingly, and the Company sum̄oned by the sheriff, who returned Niehil &c. on the writt.[2]

The technical reasons which made it expedient to drop the first prosecution do not appear; but there is no entry in the book, whence most of these extracts are derived,[3] between August 1682 and June 1684. We shall come to the subsequent proceedings under their proper dates.

72. Letter from the Company.

Sadlers Hall 11 Feb^{r} 167$\frac{9}{0}$.

Gentlemen,

Since the writing of our General Letter of the 26th November, the Ship Owners Advice, William Righton Master, arrived with us from Bermuda. We received no Letter from you by her, but she brought a considerable quantity of Tobacco to the Port of London, an account of which we have taken out of the Custom house Book, and transmit it to you, and expressly order Mr. Righton and his Surety's Bond be put in suit for recovery of the duties thereof; and that no delay be used therein, and send us an account of what should be recovered thereon. Our Magazine Ship hath lain wind bound a long time, we hope she will at last arrive in safety with you, and that you will speed her return. Thus committing you to the care of the Almighty,

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[1] In the Roll for Trinity Term, 32 Car. II. (1680), there occurs the following entry:—

London SS Plitm int Dmn Regem et Gubernator et Societat Civitatis London pr Plantatione de le Somers Islands et Gilbt Gerrard Milit Georgiu Waterman Milit, Rich Chandler, Hugonem Poden, Henry Bendy, Johem Browning et Johem Meredith librs homines et . . . litatores Anglie, adventurers et Planters civitatis London de le Somer Islands pds, quo warranto clament hēre gaudire et uti divos Libtat privilegs et ffranches intra civitat London et alibi unde impetit sunt et unde petunt inde diem loquendi usque a die Sci. Michis in tres Septianas et eis concedit. coram Dno Rege ubicunque &c idem dies dat est pfat Gub. nator et Societat Civit. London et Gilberto Gerrard—Georgio Waterman &c. [This is all the entry.]

In the Great Doggett for Michaelmas Term, 34 Car. II. (1682, p. 280) we find the following:—

Intr judiciū pr Dno Rege quod disclam. Gubnator et societate civit London pr Planta. de le Somer Islands et Gilbt Gerrardi et ali et impletus non prosequi.

[2] See Reasons offered to Mr. Secretary Jenkins against His Ma^{ty}, granting a letter of approbation of a Governor chosen by the Bermuda Company. 'Col. Papers,' vol. xxxiii.

[3] 'Colonial Entry Book,' vol. xvii.

We rest

Your very loving friends

Signed by order of Court, Ri: Banner Secretie

Sadlers Hall, London the 11th February 1679.

To our very loving friends Sir John Heydon Knight, Deputy Governor, and the Council of the Som̄er Islands.

The weight of four hundred fifty and five rolls of Bermuda Tobacco landed at Dice Key out of the Ship Owners Advice, whereof William Righton is Master, and Samuel Scott Merchant.

49	Rolls	4	cwt	1	qr	7	lbs
51	„	4	„	2	„	3	
50	„	4	„	1	„	13	
50	„	4	„	1	„	17	
50	„	4	„	2	„	17	
64	„	6	„		„		
60	„	5	„	2	„	0	
26	„	2	„	1	„	24	
55	„	5	„	2	„	0	
455		41	„	2	„	25	

The neat Tobacco of the above said, amounts to Four Thousand, Six Hundred, Eighty three pounds.

Witness our hands this 13th day of February 1679.

Robert Matson, James Foyle, Land Waiters.

73. At a Council Table held at St. George's in the Sessions house the 13th of July 1680, then and there present:—

Mr. Henry Durham
Capt. George Bascom,
Mr. John Huchins,
Mr Arthur Jones,

Sir John Heydon Kt. & *Govr*,
Capt. John Hubbard *Sheriff*,
Capt. Wm. Peniston,
Henry Tucker *Secretie.*

Capt Mathew Norwood, Commander of the Magazine ship John of London (which came to anchor in the Castle Harbor the 7th of this instant July) did then present the Honble Company's Box directed to Sir John Heydon Deputy Governor and the Council, the which was then broken open and a catalogue of that general or particular Letters, Packets &c. was therein conained, was then taken, and is filed in the Secretarys office.

74. The following example of an obsolete form of law occurs casually in the entry of a sale under the date 12 October, 1680 (MS. viii. p. 96).

Possession was giuen by the within mentioned George Ball with *Turf and Twig* vnto the within mentioned John Crow and his wife the daie & yeare within mentioned, in presence of vs, Richard Stafford Sen^{r} & 2 others.

75. Petition, No. 4, of some of the Planters in Bermudas. Referred to the Committee of Council, 16 Feb. $168\frac{0}{1}$.

To the Kings most excellent Mat^{y}

The humble Petition of many of your Ma$_{tys}$ good subjects ffreeholders and others in behalfe of themselves and divers others inhabiting your Ma^{tys} Islands called the Summer Islands otherwise Bermudas, sheweth

That whereas your Royal Grandfather King James of blessed memory hath, by his Gracious Letters Patents, established an Honorable Company within the City of London for Governments of these your Islands, under whom our ffathers and your pet^{s} have enjoyed much peace and quietness for Three score and eight yeares, and whereof all your Ma^{tys} Plantations in their first settlement have received much benifit, more especially of late years Caroline, which the Hon^{ble} Proprietors thereof have well resented. Now since several disaffected persons have endeavoured by their Petitions wrongfully charging them with injustice and oppression to induce yo^{r} Ma^{ty} to withdraw the splendor of your Gracious Countenance from them and vs, vnder which this yo^{r} Island mourneth; the pleasant Trees being blasted, and your humble pet^{rs} living in great pain, till your Ma^{ty} restore the company our nursing Fathers, to their Ancient method of Government.

We therefore humbly beseech yo^{r} Ma^{ty} to lay yo^{r} Royal Commands vpon the Company to reform what is amiss among them, and let not this Island suffer with their dissolution Yo^{r} pet^{rs} already suffering too much in their wonted peace and quietness through these Alterations. And for such your Ma^{tys} Grace and clemency Wee shall ever pray &c.

(Signed) Will. Hall — Francis Tucker
John Ffox — Dan Seymor
Neriah Hill — Tho^{s} How
Hen. Vaughan M — John Bristow Jun^{r}
John Bristow Sen^{r}. — John Tucker

Three other petitions were presented to the same effect.

76. Committee of Trade and Plantations 21 Feb. 168$\frac{0}{1}$ Present Prince Rupert, the Lord President, and six others.

A Petition of Divers planters of Bermudas referred by an Order of the 16th instant being read, representing the present vnhappiness of those Islands by reason of the dissentions between the Company and the Inhabitants, and therefore praying His Ma^{ty} to order that company to reform what is amiss among them To the end all things may bee setled there in peace and quiet.

There is also offered to the committee the depositions of George Bond and Jonathan Francis, Mariners, concerning a Bond which S^{r} John Heydon y^{e} Governor would have obliged the said George Bond to enter into not to load any Tobacco, as alsoe that the Governor had imprisoned Josias Pitt for publishing an Order of Council, whereupon their Lordships agree to Report that they doe look upon the behaviour of Sir John Heydon in these cases to be a great contempt of His Majestys Authority, and are therefore of opinion that by a Declaration of His Majestys Pleasure hee bee directed to come over forthwith into England to answer what is layd to his charge by the said Bond and Ffrancis, as also that the said Josias Pitt be released from his imprisonment in case it bee true that he was confined for no other reason than publishing his Ma^{ties} order in Council. And for as much as the Company have represented vnto their Lord^{ps} the great confusion y^{e} Summer Islands are fallen into by y^{e} knowledge their Inhabitants have received of the prosecution his Ma^{ty} has directed against their charter by a Quo Warranto, and that vpon presumption that his Ma^{ty} has withdrawn his Royal countenance and protection from that company they refuse to pay those duties and submit to the Laws and Orders to which they are liable by the Rules of the Charter, and which are necessary for the present support of the Islands. Their Lo^{ps} will offer that His M^{ty} doe signify his pleasure by the same declaration vnto the Inhabitants of the Bermudas, (whereof a duplicate may bee delivered vnto the Company) that they continue under obedience to the Compa and submit to the powers which were granted vnto them by their Charter, and to y^{e} Laws and orders made in pursuance thereof, vntill the Tryall by a Quo Warranto w^{ch} is depending before His Ma^{ties} Court of Kings Bench be brought to a determination.

77. At the Court at Whitehall the 25th of February 168$\frac{0}{1}$.

By the Kings most Excellent Majesty; and the Lords of his Majesty's most Hon̄ble Privy Council.

Upon reading this day at the Board a Report from the Right Honble the Lords of the Committee for Trade and Foreign Plantations in these words following :—

May it please your Majesty,

In obedience to your Majesty's order in Council of the 16th instant. We have considered the Petition of divers Freeholders of the Sumer Islands, and have been attended by that Company, as also by several other persons, who formerly presented the complaint against them, and upon examining the present state of that place ; we received the Depositions of George Bond ; and Jonathan Francis, who also made oath before us. That Sir John Heydon Governor of these Islands about September last, sitting in Court with his Council, warned Josias Pitt before him, who producing your Majesty's original order of Council touching these Islands, which he had before published in the Churches, (as is usual, as they alledge in matters of a public nature) the Governor commanded the Marshal to carry him to prison, and told the said Pitts he must find security before he should be released, and that when Capt Peniston, one of the Council, was speaking afterwards of the said order, the Governor replied it ought to be burnt and not published.

And the said Deponents having further declared that the said Josias Pitt, as they believe, is yet remaining in prison for publishing your Majesty's said order ; we cannot but represent this behaviour of Sir John Heydon (which is also disowned by the Company) to be a great contempt of your Majesty's authority, and therefore we are humbly of opinion, that by a declaration of your Majesty's pleasure he be directed to come over forthwith into England, to answer what is laid to his charge by the said Bond and Francis, as also that the said Josias Pitt be released from his imprisonment, in case it be true that he was confined for no other reason than publishing your Majesty's order in Council. And forasmuch as the Company have represented unto us the great confusion the Sumer Islands are fallen into, by the knowledge those Inhabitants have received of the prosecution which your Majesty has directed against their Charter by a *Quo warranto*, and that, upon presumption, that your Majesty hath thereby withdrawn your Royal contenance and protection from that Company, they refuse to pay those duties, and submit to the Laws and orders to which they are liable by the Rules of the Charter, and which are necessary for the present support of those Islands. We humbly offer that your Majesty do signify your pleasure in the same declaration unto the Inhabitants of Bermuda whereof a Duplicate may be delivered unto the Company that they continue under a due

CHAP. XVI. 1673-1683.

obedience unto the Company, and submit to the powers which are given unto them by their Charter, and to the Laws and orders made in pursuance thereof, until the trial by a *Quo warranto*, which is depending before your Majesty's Court of King's Bench, be brought to a determination.

All which most humbly submitted &c.

RADNOR, AILESBURY, L: JENKINS,
CHESTERFIELD, H: LOUDON.

February 21st 168$\frac{0}{1}$.

His Majesty was pleased to approve of the said Report, and did order that one of his Majesty's Principal Secretaries of State, do cause a Declaration to be prepared for his Majesty's Royal Signature, pursuant to the tenor of the said Report, and dispatched away by the first conveniency to the Bermudas.

Exd JOHN NICHOLAS.

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78. Letter from the Company.

Sadlers Hall 8 March 168$\frac{0}{1}$.

Gentlemen,

(1) The box you sent by our Magazine ship the John, and your general Letter of the 30th September last, and all other papers therein, were in January last brought us by Capt Mathew Norwood late Commander thereof, who acquainted us that he set sail from you in October last, and within ten days after, his ship foundered in the sea, and was lost, and himself, seamen, and passengers had all perished with her, had they not been taken in by Jonathan Francis, Master of the ship Providence, who came in Company with him, and providentially saved them. The loss of this ship hath been very considerable to us, (but to Gods will we submit). We very much blame you the Governor and Council for not giving her a more speedy despatch; we will not say she was lost for want thereof, but are sure her stay did her a great deal of hurt, and if she had come home safe, yet her owners and we had received much damage and loss.

(2) We take notice that the said ship Providence and the Friends advice, George Bond Master, were invited into the Islands, and then encouraged to carry away the Tobacco thereof. If the Governor and Council had pursued what we writ you in our last, and after our Magazine ship was full, appointed a fit vessel to bring away the residue of the Tobacco as we in our last letter gave directions, you had thereby disappointed the said private ships, discouraged them and all other privateers, secured our duties, and complied with our orders, and until

these private ships are discouraged and prevented, both the Country and Company will suffer, and in a short time the trade of Tobacco will thereby be quite lost. We refer you to our said Letter, and for the future expect your better compliance with our orders therein, and that you will pursue them and the orders and instructions by us formerly given you for preventing of private ships, and securing our duties, for without them we cannot supply you with ammunition, pay your Ministers, and bear the charge of Government.

(3) We minde your intentions of proclaiming our law about Entry of Claims, and supposing it is now accordingly done, we expect an account of its effect.

(4) We well approve of your restraint of boats from carrying Tobacco aboard to ships at sea, and what you write concerning the same, and pray your continuance of your care therein.

(5) We take notice of the £9 2s paid by you the Governor to our Sheriff towards discharge of public debts, are sorry your house is not repaired, we have often writ therein, and it's strange you cannot procure your own house to be kept in repair. We order the Sheriff to do the same, how the £12 6s by you the Governor and Council received for powder money of our now Sheriff hath been laid out for public charges, or what's become of the same, we do not hear of, but require you to send an account thereof.

(6) The order you made at a Council Table held at S^t^. George's in the Sessions House the 3^rd^ and 4^th^ of January 1677 about Tobacco, and against the deceitful making up thereof, we well approve of, and confirm the same, and take notice of the proceedings against Thomas Wooton, and the punishment inflicted on him; nevertheless we still find that Tobacco comes over deceitfully made, and that deceits increase therein. Therefore your care must be more than ordinary to detect and punish offenders; and besides we know Tobacco from New York, Virginia and other places are brought into the Island and made up as, and for Tobacco of the growth thereof, and so disposed of, so that what by deceitful making up of Tobacco of your own growth, and the deceit of making up other Tobacco instead thereof, you will in a very short time quite lose the trade thereof. It's of great concern to the Island and therefore we expect you to be very diligent therein.

(7) You mention that the Island Henry Durham desires, is but an acre of rocks, and never any thing given for it, pray let's know what will be given for it, and the utmost rent it will produce.

(8) We take notice that your last General Letter came to us signed only by you our Governor our Secretary, and M^r^ John

Huchins, Our Sheriff hath satisfied us why he did not subscribe, but we have not one word from any of you of the Council, who did not sign, in excuse thereof, and so we conclude that you thought the *Quo Warranto* had put an end to our Government, but (thanks be to God) it is not yet so; His Majesty will not condemn us before we are heard, neither is he at all displeased with the Company as some imagine, or at least would have him to be.

(9) We send you an order of the King and Council made the 25th February last, by which you will find his Royal will and pleasure signified. That all our duties are to be continued, and that the Inhabitants are to continue under a due obedience to the Company, and submit to our Laws and orders until the trial by Quo warranto be determined. We have put in our plea to the said Quo warranto, and are not in the least afraid to go to trial when, and as soon as they who prosecute please to bring it to a hearing. The Company as it's reported among you is not yet broke, nor in any danger thereof: the said Quo warranto for form's sake is brought in his Majesty's name, but he is not at one penny charge for the same, but the whole prosecution thereof is managed with the help of some money raised among you by persons who design their own private ends, and no wise the good or benefit of the Islands, one of the great prosecutors here, hopes that his Majesty will grant him the Government of the Island; others (we mean Mr Trotts executors) hope to get clear some debts they owe the Company for duties, for payment whereof he gave his bond; and actions at Law have been brought by us thereon, and we have had verdicts for the same. But they for delay sake have brought writs of Error in hopes to get the Company dissolved before the same can be brought to hearing: what benefit will accrue to the Inhabitants in having the Company broke, we leave it to the consideration of you and all sober men to judge.

(10) Some parts of his Majesty's said order of Council particularly relates to you our Governor, and you are thereby directed to come over to England to answer the charge therein. We send you the affidavits of Bond and Francis mentioned in the said order of Council. We think it will be no hard matter for you our Governor to clear yourself, and to give his Majesty and Council a satisfactory account of the whole proceedings.

(11) We let you our Governor and Council to know that before this complaint was made against you, the Lady Boughton your daughter being now a widow, moved us to give you leave to come over, which we thought reasonable, and accordingly granted the same.

(12) We have made choice of another Governor to succeed Sir John Heydon, and sent him our Commission in Sir John's letter. But the same is not to take effect or be delivered to him until Sir John embarks himself and leaves the Island, for it's our pleasure that Sir John continue our Governor till the very minute he leaves the Island. We require that so much of the said order of Council as concern the Inhabitants and the peace and quiet of the Island be forthwith proclaimed.

(13) In hopes that private ships have left some Tobacco behind them, we send you a small Ketch for the same, the Society of London, John Fullwood master thereof, and require you to give her a quick dispatch: we have appointed her stay but thirty days, we order that you cause to be laden aboard her, all such Tobacco as is now ready for transportation, and that you do not permit or suffer any ship or vessel to take in any Tobacco or goods till she be first laden. We resolve this year to dispatch our Magazine Ship from home so timely, that she may be with you before or presently upon division day, and expressly command you for to secure a freight for her; and that you permit no private ship upon any pretence whatsoever to take in any Tobacco till after our said Magazine is fully laded; so as she come to you by the 10th March, as we have formerly ordered.

(14) We for your present supply send you by the said Ketch six barrels of powder.

(15) We order that according to the law by us made in 1676, all ships anchor within the Castle and Town harbour, and within the command of the Castle and Forts, and that neither you our Governor or Secretary give any Dispatches to Ships before such time as our Sheriff hath certified that they have been duly searched, and that he hath received of them Port charges, and that all other Port charges are paid according to the laws, and Custom there.

(16) We are sorry to hear of Mr Vaughans death, we shall take care to send you another in his stead. In the mean time let the other Ministers supply his place. We are moved that Mr Vaughans daughter may at present continue at the Glebe house and lands wherein her father dwelt (and which it's said he repaired at his own charge) which we think reasonable, and that until a Minister come to supply that place, or that we give order for her removal, she may continue therein upon payment of such reasonable rent for the same as you our Governor shall judge it's worth, and accordingly appoint you to set such rent as she shall pay for the same, and acquaint us therewith by your next General Letter.

(17) We have chosen and do order that Samuel Brangman

be Commander of Southampton Fort, and send him a Commission for the same. That Edward Johnstone be Captain of Pembroke and Devonshire Tribes. That Capt George Bascom be Councillor of Warwick Tribe, and Joseph Darrell be Councillor of Devonshire Tribe.

(18) We are very sensible of the ill practices used by M^r William Peniston in his endeavouring to create disturbance in the Island, and therefore think him unfit to have any employment there; and do discharge him of all offices and employments under us, and have made choice of, and do appoint M^r Francis Tucker to be Councillor of Smiths Tribe; and that the said Francis Tucker be also Captain of Smiths and Hamilton Tribes.

(19) We send you an order made between M^{rs} Somersall and her son Israel Somersall, part whereof (to wit) so much as concers her Jointure Lands, we have settled and decreed to her for her life, and the rest we have under our consideration; the next Magazine ship you shall have our judgment therein, and also in all other appeals before us, in the mean time let no person suffer thereby.

(20) The petition of M^r Sampson Bond, late one of our Ministers, and what you writ in his behalf hath been considered of by us. We think fit once more to appoint him one of our Ministers, and shall send him a Commission by the next ship. When he was discharged we granted a warrant for what was then due, and for the time to come care will be taken for the payment of his salary which shall commence from Lady day next.

(21) M^r Noden informs us that he will order his Factor Charles Walker to forbear prosecution of the Sheriff at his suit.

(22) We take notice of the desire of some of the Inhabitants for an Assembly, and the Petition of others against an Assembly whilst the power of our Charter is trying at Law, we assure you that so soon as the power of our said Charter hath been tried, and that you are thereby satisfied that our Charter and the Government is continued to us, we will give you order for an Assembly, which we hope will be one means to settle the peace and quiet of the people, and create a good understanding between us and the Country. It hath been private persons that hath divided us in hopes to carry on private designs, our principal care shall be to advance the good of the Island, and we shall readily redress any just agrievance that such Assembly shall represent to us, and in the mean time we desire you the Governor and Council to consider and inform us of what you think fit to do for the benefit of the Islands, and to be as active

for the support of the Government as others are against it: and thus committing you to the protection of the Almighty.

CHAP. XVI.
1673–1683.

We rest Your loving friends

Berkeley,
Rich^{d} Chandler Jun^{r},
Henry Dandy,
Humphrey Meverell,
John Tucker,
Thomas Garfoote,
Samuel Smith,
George Waterman,
Hugh Noden,

D. Finch, Governor,
Gil: Gerard Deputy,
Richard Chandler,
John Chandler,
Rich^{d} Chandler Jun^{r},
Samuel Smith Sen^{r},
John Browning,
Richard Beaucham,
Tho: Toulson.

To Sir John Heydon Knight and Governor of Sum̄er Islands and the Council these.

Sir John Heydon finally left Bermuda soon after the receipt of this letter, and the government of his successor begins.

CHAPTER XVII.

LAST TERM OF OFFICE OF CAPTAIN SEYMOUR, 1681. ADMINISTRATION OF THE GOVERNMENT BY MR. HENRY DURHAM.

CHAP. XVII. 1681.

SUFFICIENT account of Captain Seymour has already been given (p. 186); but as the writer could not trace the authority for the statement that his wife was a Quaker, when that sheet passed through the press, it may be here given. It occurs in a letter from Sir John Heydon and his Council to the Company, 22 June, 1669, which will be found in the Appendix. The name in these latter records is correctly spelt in the masculine form, as Florentius or Florentio, in the earlier records it was always Florentia.

> Where as you have bin pleased to order M^r John Burch Councello^r of Sandy's Tribe who is deceased in his returne for England. Wee haue thought fitt to make choyce of Captain Christopher Burroues for the officiating the afores^d place whoe is likelie by or before the returne of the ship, to remooue vnto another Tribe. If therefore you shall be pleased to appoint some other person, or Captain Florentius Seymor to be councellor for that Tribe Wee shall eccept of him to be a fit coadiutor in Government which (though his wife bee a Quaker[1]) may be seruiceable to you, that Tribe, and the Generaletie with vs.

1. The Company to the new Governor.

To our very loving friend Capt Florentio Seymour in the Somer Islands.

(1) The Lady Boughton, daughter of Sir John Heydon, being now a widdow, hath moued us to permitt him to haue the Gouernorship of the Somer Islands, and come and liue with

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[1] See page 274 for a then recent regulation against any person married to a Quaker holding office.

her Ladyshipp, which wee granted, and since then a complaint was made to his Ma^tie^ against the said Sir John and he is directed to come ouer to answer the same, Wee minding that a person fittly qualified for the Gouernment of the said Islands might succeede the said Sir John therein, haue chosen you to be our Gouernor, and sent you our Commission for the same, and also to be Captain of Kings Castle, both which Sir John Heydon will deliver to you att his departure out of the said Islands.

(2) We expect, that immediately upon receipt of the said Commissions you take upon you the Government of the Islands and the Inhabitants thereof and the due execution of your Commission, and that you will fully and faithfully discharge the same, and the great trust wee repose in you.

(3) Wee pray you to be exceeding vigilant and careful in preseruing the Country in peace and safety, retaining the people in their due obedience and conformity to our lawfull commands, and those wholesome Lawes and orders that wee have made or shall make and transmitt to you.

(4) His Ma^tie^ by the Order of Council of the 25th February last, requires the Inhabitants to submitt to our Government untill the Quo warranto be determined; wee have putt in our plea to the same, and when those who prosecute please to bring on the same to a hearing, wee no wise doubt but the *Quo warranto* will rather strengthen than take away our Charter.

(5) Wee refer you to our Generall Letter, and the Lawes and Orders we have made, and sent to the Island, and pray you to reade over and obserue the same.

(6) The three smallships vizt: Francis, Bond and Stow have not performed their bonds given in the Island for secureing the Company's dutyes &c; therefore we desire you to put them in suite. Wee shall by our next Magazeene shipp send you a true account of what each ship's dutyes amounts unto.

(7) Wee assure you wee will not be wanting in any thing that on our parts may further the wellfare and prosperity of the Islands. Wee also expect you and the Inhabitants shall doe your parts therein. Thus committing you to the protection of the Almighty Wee rest, your very louing friends,

Signed by order of the Court

Ri: Banner Secretie.

Sadlers Hall, London 8th March 1680

CHAP. XVII.

1681.

2. June the 24th 1681.

Memorand, That the day and year aforesaid, Sir John Heydon Knight and Governor went to sea in the Ketch Society, John Fullwood master thereof in order to go to England, and without the Town harbour did produce a Commission, and deliver the same to Capt Florentius Seymer to be Governor of the said Islands, and a second Commission to be Commander of the Kings Castle, as likewise a General Letter to him from the Hon̄ble Company for his execution of the aforesaid places dated the 8th March 1680, before Capt John Hubbard Sheriff, Henry Tucker Secretary, and some other considerable persons being then aboard. The which said Capt Seymour the 24th day of June aforesaid after his Commission for Governor was read, and had taken the usual oath of the Governor in the Governor's Hall was invested accordingly.

The 'Society' reached the Downs on the 15th August. The Company reported the safe arrival of the Governor, and his gracious reception by Charles II., in letters bearing date 28th Septem., one of which is subjoined.

3. Extracts from a General Letter dated Sadlers Hall London 28th September 1681.

(1) . . . . Wee are informed that priuate shipps are sent to you; if any come without our Commission, we expressly order that no Tobacco be laden aboard them or any other priuate shipp whatsoeuer; and if any person will not, according to the Lawes and Orders of the Company, lade their Tobacco on board the shipps wee send, or that you shall hyer, if any that wee send shall miscarrie, or not be able to bring away all the said Tobacco; Wee then order and command that such Tobacco be stayed in the Country, and kept for our next Magazeene ship, and doe not upon any pretence or threatening whatsoeuer suffer such Tobacco to be laden on any private shipp, and giue no countenance to any private shipp, for priuate shipps doe what they can to defraud his Matie of his customes and us of our duties; and if priuate ships be not discouraged and prevented, his Majestie, the Countrie and Companie will suffer, and in a short tyme the trade of Tobacco with you will be quite lost.

(2) His Matie by order of Council of the 25th Februarie *last*, which wee sent you, and hath accordingly been proclaimed with you, prouides, that all our dutyes are to be continued, and the Inhabitants are to continue vnder due obedience to the

Companie, and submit to our Lawes and orders vntill the *Quo Warranto* be determined. If the Inhabts shall act contrary to his said Maties said order, send an account of their names and demenor, that so they may be proceeded against.

We command you the Governor, immediatelie after receipt hereof to signifie our pleasure to the Inhabitants of what is above mentioned, that so they may submit and conforme themselues therevnto.

(3) The *Quo Warranto* is not yet determined, and it will be some time before it be, those that prosecuted, after six months consideration of our Plea, thought fitt the last tearme, to put in their Replication therevnto, and wee have till the next tearme to put in our Rejoynder, which wee shall accordingly doe, and doubt not of good success.

(4) We have chosen and continued Capt Fflors Seymour Governor, Capt John Hubbard our Sheriff, Mr Henry Tucker our Secretarie. (Then follow lists of councillors, &c.)

(5) Wee expressly order that all Tobaccoes be made according to the Lawes and orders of the Company, and that all deceitfull making upp of Tobacco, and the bringing of Tobacco from New Yorke, Virginia, and other places into the Island, and makeing it vpp and disposall thereof, as, and for the Tobacco of the growth of the place, be carefully looked after, detected, and punished, ffor it's of great concerne to the Island, that the Tobacco thereof be good, and well and iustlie made upp; ffor if the reputation and the trade thereof be once lost, it will be hard to regaine it.

(6) Wee have desired our Gouernor, who is of his Maties most Honble Priuie Councill to returne his Matie, our and your thankes for his late order of the 25th February last, which you write hath been published, and thereby abated the vnruliness of som selfe seekeing people, but wee hope there is none among you so vnrulie as to refuse obedience therevnto. If any such there be, wee have aboue directed their names to be sent vs.

(7) Sir John Heydon is safe arriued with vs, and had the honour to kiss his Majesty's hand, a little before his Majesty went to New Market: (this was on 11 Septem) but Mr William Righton hath, as it's reported, since that tyme, in behalfe of himseif, and as he styles it, the Countrie, preferred a Petition against Sir John Heydon, and annexed articles therevnto; the second Council daie after his Maties returne from New Markett, is appointed for hearing thereof, but as yet Sir John is not serued with the said order of Councill Wee have ordered our Treasurer to retain Counsell for Sir John, and bear all the charge of his defence in case he be serued with the said order; ffor that wee hold ourselves obliged, and do declare, that wee

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will assist and stand by Sir John, and all our officers in what they shall act or do pursuant to any of our Lawes or Orders, or directions, and will justifie them for so doeing.

(8) Your last mentions, you will gladly entertaine our Magazine ship, and secure the Tobacco for her, according to our Order and expectation, wee will not doubt but you will doe as you have said, and punctuallie complie with what wee haue aboue writt concerning the two shipps wee now send you, the securing our duties, and preuenting all priuate shipps from takeing awaie any Tobacco. . . .

(9) You desire that for the restrayneing the increas of slaues, noe Inhabitant should keep aboue three working servants for a share of land, Wee agree with you, that the restraynt of slaues may be very good for the Island, and accordingly made a Law against bringing in of negroes, which, if it had been executed, might have eased you of this complaint. Wee think that som persons amongst you that vse trades, may require more servants than what you mention, but if what you desire, as to the restraynt of slaves be for the generall good wee comply therewith, and order you to draw vp a Lawe therein, which wee shall send back to you confirmed, for wee shall be as ready to grant anything for the good of the Islands, as you can be to desire it, and as wee formerly writt you, as soon as the *Quo Warranto* is determined, and that our Charter and the Government is continued to us, an Assembly shall be called, and wee shall readily redresse any iust agrievance that such Assembly shall make to vs. In the meane time wee require you the Governor and Council to be as actiue for the support of Government, as others are to destroy it.

(10) Ffor dispatch of the business of the Island, wee order that an Assizes be called, and kept before the returne of the ship we send you. . . .

Being informed that Percivall Golding our schoolmaster is very aged and not able to execute his place as formerly, and not being willing to putt out an old seruant, have appointed M^r^ James Hill to be an assistant to him, and to execute the place of Schoolm^r^ with him and for his encouragement carefully to discharge the said place, Wee do order that the said M^r^ Hill shall dureing M^r^ Goldings life, haue a share of land, parcell of that which belongs to the schoolm^r^, and that M^r^ Golding doe enioy the rest for his life, and when M^r^ Golding dyes M^r^ Hill shall have the whole. . . .

(11) We have sent our comission to M^r^ Sampson Bond to be Minister, and shall take care to paie him and our other ministers their salleries, so soone as our Dutyes come in to doe

the same, and thus commending you to the protection of the Allmighty Wee rest your very loueing ffriends—

Gilb Gerard Deputy
John Heydon
and 14 others.

Sadlers Hall 28 Septem. 1681.

4. At the Court at White Hall, this 2nd of November 1681. Present,

The King's most Excellent Majesty,
His Highness Prince Rupert,
Lord Chancellor, Lord President, Lord Privy Seal, and a full council.

Whereas his Majesty in Council the 25th February 168$\frac{0}{1}$ upon reading the Depositions of George Bond and Jonathan Francis; wherein several crimes and offences were sworn to have been committed by Sir John Heydon, Governor of the Bermudas, and particularly for the committing of one Josias Pitt to prison, was pleased to order; that the said Sir John Heydon should come over into England and answer what was laid to his charge. And whereas the said Sir John Heydon (in obedience thereunto) being arrived here, there since hath been a petition preferred by one William Righton in the name of the Merchants, Planters, and Inhabitants within, and Traders unto the said Island of Bermuda; with articles annexed of divers crimes and offences suggested to have been committed by the said Sir John Heydon, during his Government there; and this day appointed for the hearing the said Sir John Heydon's defence to the said Complaints against him: the said Complainants, and the said Governor with their Counsel on both sides were called in, and divers witnesses examined, and the whole matter of Complaint fully heard.

Upon consideration whereof his Majesty was pleased to order, and it is accordingly ordered, that the said matters, and Complainants be, and they are hereby dismissed this Board, and the said Sir John Heydon discharged from any further attendance touching the same.

Francis Gwyn.

5. At the Committee of Trade and Plantations 20 Decem. 1681.

Their Lordships take a Review of what has passed in relation to the Bermuda Company and of the Quo Warranto directed against them and it being again proposed by my Lord Ffinch that his Ma^{ties} directions may be signified once more to the Inhabitants that they continue to obey the Company and their Officers vnto the Quo Warranto bee determined Their Lps take notice that the company did formerly refuse to Referr the matter in difference to the Determination of the Committee therefore see noe reason for any such order to bee made in their favour which they will Report to His Ma^{ty} in Council with their opinion that the Attorney General may bee ordered to vse his vtmost care in prosecuting the Quo Warranto as a matter highly concerning His Ma^{tys} service.[1]

Mem^{dum} My Lord Culpeper being present informs the Committee that vpon his returne from Virginia hee touched at the Bermudas, where going to Church, hee found there was noe vse of the Common Prayer, but rather a prohibition of it, and that the people were much divided among themselves, and in very great disorder. (Colonial Entries, vol. 106, p. 331.)

6. At the Committee of Trade and Plantations 31 July 1682.

Their Lo^{ps} being met vpon an Order in Council to examine in what forwardness the Quo Warranto brought against y^{e} Bermudas Comp^{a} remains at present and y^{e} occasion of delay in the prosecution, the Petition of William Righton and others Inhabitants of the Bermuda Islands is read setting forth the state of their proceedings in the prosecution of the Quo Warranto against the Company, and the Petitioners being called in their Lo^{ps} ask them why their prosecution has been delayed soe long To which they answer that there has been noe neglect on their parts, but that the delays have been occasioned by the Company, and doe engage that M^{r} Attorney General shall bee fully instructed and informed in this matter before Michaelmas next in order to the prosecution of the Quo Warranto at the next term.

They likewise complain to the Lords that the Company have issued divers illegal warrants &c whereof one is read dated the 26 October 1676 for the delivering the possession of certain lands in the Bermudas to the Lord Finch M^{r} S^{t} John and M^{r} Barrington.

All this was reported to the king in Council August 3rd.

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[1] Articles about this time were exhibited by Captain John Stowe against Mr. John Hutchins, Councillor of Pembroke Tribe, charging him with contempt of the King's order of March, 168½; six pages, containing nothing important. He was turned out of the Council.

7. Extracts from a General Letter dated Sadler's Hall, London 6th October 1682. (MS. iv. p. 192.)

(1) We have chosen and continued Capt Florentius Seymour our Governor, and Capt John Hubbard our Sheriff, and have sent him our Commission.

We at the request of Mr Henry Tucker have discharged him of the place of Secretary, and have chosen Mr John Tucker his son, to be our Secretary, and now send him our Commission. . . . .

(2) We take notice of a paper or declaration subscribed as you say by several Freeholders, which we think you need not have sent us. If persons refuse to serve as Jurymen, and will not submit as his Majesty by his Order of the 25th of February 1680 heretofore sent you, thereby directed; you must then use your power to force them to it. We have given Laws; do you but execute them, it will turn to your own ease and the good of the Inhabitants. We have formerly sent you a Statute book, if it goes not further then King James his reign, let's know the year it ends at, and we will send you what Statutes have been since made.

(3) By the copy of the Grand Inquests proceeding you sent, we find they have taken upon them to judge and determine the General Levies, the rents of the Public Lands, and several other things no wise fit for them to intermeddle with. We do not think fit at present to raise any of the rents of the Public Lands; but when the *Quo Warranto* is determined, an Assembly shall be called, and as we formerly writ, we shall readily redress any just grievance that such Assembly shall make to us. . . . .

(4) The Earl of Manchester is now in France, we shall attend him upon his arrival, and then give directions about the Free School Land; let your next bring us a full state of that matter.

(5) We order that neither Mr William Milborn, nor Mr Samuel Trott be admitted to plead as better friends in behalf of any person; and if they do not yield obedience to his Majesty's order of Council of the 25th February 1680, and forbear disturbing of the Government, we shall take such course as will reduce them to obedience, let them know our pleasures herein. . . . .

(6) We find that some of the Council desire power from us, by commission to execute the duty of their place, his Majesty's and Company's Laws as Justices of the Peace, and to have the oath of their office and such fees as the Law allows: we think they may act as heretofore they have done without a Commis-

CHAP. XVII. 1681. sion; his Majesty directs and requires it; we are not for making any alteration in Government, or putting any new charge on the Inhabitants.

(7) We have sent you six barrels of Powder, and let the powder we sent by Capt Stowe, that received damage, be sent back, we will get it cured and made fit for use, and return it you again. . . . .

(8) We require your care in restraining of boats from carrying Tobacco aboard to ships at sea, for private trade is a great loss to us, and prejudice to the country. . . . .

(Signed) Gilb. Gerard Deputy.
John Heydon
Sadlers Hall 6 Oct 1682 and 11 others.

8. Another Letter by the same ship 17 Oct. 1682.

Gentlemen,

Since the writing of our General Letter of the 6th October Instant, we have heard the cause depending in this Court concerning the whale fishing, and by the consent of all parties have adjudged the same to belong to the grantees by virtue of a Lease bearing date the 30th June Anno Domi: 1669, and since that, are given to understand that the grantees or persons concerned in the whale fishing have agreed together as to the management and concern thereof and have named and appointed John Stringer and William Keele to be their agents and attornies therein, and having given them several orders and instructions for carrying on the same, we do therefore order and command you our Governor, Council and Sheriff, and all other our officers upon receipt hereof to deliver unto the said John Stringer and William Keele, their agents or assigns, for the use and benefit of the said Grantees, all the copper utensils and other things belonging to the said Whale fishing, the which heretofore at the request of the said Grantees, were by our order seized and secured for such persons to whom the right of the Whale fishing should belong; and we do further order and command, that you our Governor do forthwith issue out your Proclamation prohibiting all person and persons whatsoever to fish for whales save only the said Grantees their agents and Assigns, and if any person or persons, save only the said Grantees, their Agents or assigns shall, after such Proclamation had, fish for whales, that you do employ your power effectually to hinder the same, and bring such persons to condign punishment.[1] And we further order and command you, our Governor,

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[1] In a printed document, entitled 'A Petition to the House of Commons,' without date, among the Colonial Papers, the petitioners say that the Company, 'as if

Council, and Sheriff, and all our officers to put in execution all Laws, orders, powers and authorities concerning whale fishing, and not to hinder, but in all things to be helpful, aiding and assisting to the said Grantees, their agents and assigns in the management and carrying on the concern of the said whale fishing. We rest, your very loving friends

D. Smith,
Samuel Smith,
Richard Beaucham,
Robert Clayton,
John Browning,
Henry Dandy,
John Wyse,
Robert Steevens,
Humph: Meverell.

Sadlers Hall London October 17th 1682.

To our very loving friends Capt Florentio Seymour and the Councell of the Som̄er Islands—these.

9. Captain Seymour did not live to receive the foregoing communication. He died on the 3rd of November. The Company's Standing Laws of 1622 (vol. i. p. 210) provide for the course to be taken on the death of a Governor, and it was now followed.

Somers Islands als Bermudas

To all and singular the Inhabitants of these Islands of what degree whatsoeuer. As likewise all such persons as may hereafter (subiects of his Matie Charles the second of England &c king) here arriue

Know yee That whereas Captaine Fflorentius Seymour the Deputy Gouernor and Captain General of these Islands vnder the Honble Companie is lately deceased: and the body of the councell haue assembled together this instant for the choosing another able person to succeed the said Captain Fflorentius Seymour according to the effect and substance of the 148th Article of the said companies Booke of printed Orders Wee the bodie of the Councell haue accordingly met together the nineth Daie of Nouember 1682 and haue made choyce of and chosen

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they designed to compleat the ruin of the said Islands, have most Illegally and arbitrarily, after they had let a Lease of the whale fishing for 99 years, and at least £4,000 had been expended by the Leasees, in providing Boates, and tackle, and other necessary charges for the said fishery, not only seized upon the Leasees Boats and Tackle, to hinder their further proceeding in that work which they had brought to good perfection; and give them no manner of satisfaction for their loss and damage sustained thereby; but have also seized on members ships, both in England and in the Islands.'

There is only one petition from Bermuda on the Commons Journals, 1667–1685, which was presented March 7, 1676, by John Wise, William Wise, Robert Stephens, and Perient Trott, and referred to a committee. It has reference to the exaction of fees, oaths, and bonds, and the granting of passes for ships, subjects not mentioned in the petition quoted above, and does not refer to the whale fishery. It is probable, therefore, that the latter was not presented.

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Mr Henry Durham the councellor of Southampton Tribe to be Gouernor and Captaine Generall of these Islands to all intents and purposes, vnless or till such time as the aforesaid companie doe take other order in and about the premises. In testimonie whereof wee haue herevnto sett our hands the nineth daie of Nouember In the yeare of our Lord God one thousand six hundred eighty and two

Signed	John Hubbard Sher.	ffrancis Tucker
	Henry Tucker Secret.	Christopher Burrowes
	Arthur Jones	Joseph Darrell
	George Bascom	

(MS. vii. p. 118.)

10. At the Court at Whitehall this 22nd day of November 1682. Present,

The King's most excellent Majesty,

His Highness Prince Rupert, Lord Archbishop of Cant:, Lord Chancellor, Lord President, Lord Privy Seal, &c and a full council

The Right Honble: the Lords of the Committee for Trade and Foreign Plantations representing this day unto his Majesty at this Board the necessity of the Attorney General bringing a new *Quo Warranto* against the Charter of the Bermuda Company that the same may be forthwith brought to a final issue. His Majesty upon consideration thereof was this day in Council pleased to order that Sir Robert Sawyer Knt:, his Majesty's attorney General do bring a new *Quo Warranto* against the Charter of the said Company, and prosecute the same in his Majesty's behalf against the said Company to bring that matter to a determination with all convenient speed.

Francis Gwyn.

11. Petition No. 5.

To the kings most excellent Majesty

(1) The humble petition of yr Maties Dutifull Loyall and obedient subiects the Inhabitants of yor Mats Islands of Bermuda in America Humbly Shewing

That the pretended Bermuda Companie who derive their title from the Virginia Companie who were disolued aboue fifty years since, are not now owners of one Twentieth part of the land in the said Islands, and yet do usurp more authoritie over the Petitioners by imposing Taxes, Lawes, Governrs and other Officers and Ministers on them than euer their predecessors did on those inhabitants who were all but their servants, or Tennants at halfe profitt Notwithstandinge the said Companie haue not traded on a joint stock for aboue forty yeares But doe hinder all other yo^{r} Mat^{ies} subiects from trading to the said Islands.

Humbly Pray. That in consideration of the premises y^{r} Ma^{ty} will be graciously pleased to take the Petio^{rs} into y^{r} Royall Protection, and to send some fitt person to be their Govo^{r} whoe they will mayntaine, Fortifie and Arme themselues without putting yo Ma^{ty} to any charge [not signed].

This Petition, with the annexed papers, was referred 30 May, 1683, to the Attorney-General, and the following memoranda are entered in connection with it.

(2) S^{r} Ferdinando Gorges his charter for New England was opposed by the Virginia Company because it was comprehended in both their Charters, yet they could not hinder Sir Ferdinandos grant.

The King cesed (seized) y^{e} Governm^{t} of Barbadoes and ye Caribe Islands into his hands, notwithstandinge y^{e} earle of Carlisle's Charter.

The King granted Carolina to y^{e} Duke of Albemarle &c. and yet it was granted by his late Ma^{tie} to y^{e} Duke of Norfolk's father.

The King granted new Jarsey to S^{r} Georg Cartrete w^{ch} is comprehended in y^{e} Charters of Virginia and new England alsoe.

And his Mat^{ie} granted Pensylvania to Pen yet it is comprehended in both y^{e} Charters of New England & Virginia. Both the Gouernm^{t} and y^{e} soyles of y^{e} three last is passed in y^{e} sd last grants.

(3) Upon this the Attorney-General enters the following opinion. 7 June, 1683 :—

I haue considered of this Petition and the papers annexed, and heard council on both sides. And doe find that by the Charter the ciuill power within the Island is vested in the Company and they haue likewise power to defend themselves by force against invasions or insurrections and to use and execute Martiall Law: but I am of opinion there is nothing in the Charter to exclude his Majestye from ordering or disposing of the Militia of that Island for the safety thereof, or from constituting a Governor or Lieutenant in order thereto.

(Signed) R. Sawyer.

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(4) Sir G. Jeffryes, 'on the question whether the King by His Royall Prerogative may send such Governor thither as he shall think fitt,' had already expressed a similar opinion:—'I conceive that notwithstanding any words above (the words of the Charter) His Mat^{y} may send such a Gov^{r} as he shall think fitt.' (Not dated.)

12. About this time Francis Burghill (subsequently nominated Governor by James II. in lieu of Coney, but the nomination was cancelled), received a series of articles against Mr. H. Durham, the acting Governor, from W. Righton, which he had laid before the Council in Bermuda, and now transmitted to Burghill, to be worked in the best way he could to the disadvantage of the Company.[1] He taxed Durham—

(1) With refusing him a copy of the Records, being demanded in behalfe of the King.

(2–3) With contemptuous language, and declaring that if the Company be undone, this poor Island must expect nothing but Popery, robbery, and the loss of their lands.

(4) With declaring that the Kings Government is ever and always accompanied by blasphemies and prophaneness, and affirmed that,

(5) The said M^{r} Henry Durham haue not onely cast contempt vpon the Kings Sacred person and government, but have greatly scandalized the government of the Church of England by perswading y^{e} Inhabitants y^{t} if the Kings Government should take place in Bermudas that y^{e} people will be forced to go to Church wth a Drum and Fiddle.

(6) The aforesaid Henry Durham saide that if the Company be broken and y^{e} Kings Government take place in Bermodas that y^{e} people of the Island will be bought and sould, and perhaps may haue thirty or forty frigotts lie in our harbour to destroy and eat vp y^{e} Inhabitants continually, soe that it need not be wondered that so many decry and speake so much euill of y^{e} Kings Ma^{tie} and Government and to chose the worst of Companies before the best of Kings to rule over them.

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[1] Francis Burghill, who is much mixed up in the transactions of this period, formerly Governor of Calshott Castle, appears to have been an underling of the Court in 1684. He had been a frequent applicant for place. Thus, in April 1661, he tried in vain to be appointed Governor of Antigua. He was once a Gentleman of the Bedchamber to Charles II., but dismissed as being not worthy of trust. His enemies declared that he had been convicted of coining under the Commonwealth, but pardoned by Cromwell on condition of turning spy. He laid claim, however, to valuable services to the Royal cause.—Domestic Papers, 1660–1.

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1681.

Then follow indignant queries whether such discourses have not a direct tendency to oppose and subvert the King's Government, and are not at the least a transgression of 13 Car. II. ch. 1-2.

In his covering letter, rudely written and ill-spelt, Righton reiterates his complaints of the evil, if not treacherous, temper of the greater part of the inhabitants of the Islands, but especially of the Company's officers, and, for the Governor and his Council, they are not able to be borne with by any that have the least love, loyalty, or allegiance to his Sacred Majesty.[1] What effect, if any, these charges may have had, does not appear. Durham's tenure of office was brought to an early termination by the appointment of a new Governor, who subsequently attributed much of his own difficulties to him. 'This Mr. Durham,' wrote Colonel Coney in 1686, 'is a native of Bermudas, and was Governor when I landed here. He was chosen by y^e^ Inhabitants, and succeeded Captain Seymer, likewise a native. He succeeded S^r^ John Heydon. Before S^r^ John Heydon's time they had several Governors natives of y^e^ country, whoe for kindreds sake and their owne private interest permit y^e^ Inhabitants to doe w^t^ thay pleased, proving the sole cause of this confusion, troble to S^r^ John Heydon, and much more to myself' (Col. Coney, 1686, Colonial Papers).

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[1] 'The ministers (who are all such violent nonconformists that they never pray for the King) have of late by order of the Company preacht downe his Mat^ies^ Government, and the Company's vp, and possest many of the people w^th^ a belief y^t^ they shall be ruined if his Ma^ty^ takes these Islands, for the courtiers will begg their lands, and they shall have a Popish Governor. 1683.'—Col. Papers, p. 205. 'They send none but nonconformist ministers to the Bermuda.'—Burghill, 1684.

CHAPTER XVIII.

GOVERNMENT OF COLONEL RICHARD CONEY.

1683—1687.

CHAP. XVIII. 1683-1687.

THE army of England was made up entirely of independent companies or troops, the Royal regiment only excepted, down to April 1683, when these companies and troops were formed by Charles II. into three regiments of horse and eight of foot (Grose). To which of these, if any, Colonel Coney belonged, or what commission he held, the Editor has not been able to ascertain, nor is his name found on any list preserved at the War Office. He was sent out with the good liking and consent of the Crown, and it is impossible to accept the evidence of enemies as to his character and habits of life. Thus W. Righton affirms 'he beats, abuses and imprisons the Inhabitants when they come to him for justice, Withholds from them arms and ammunition, and hath forbidden them to yield obedience to their military commanders. The country knows him to be miserable poor, and so given to drunkenness, swearing, and lying, that there is not a sparke of any respect amongst the people for him.'[1]

William Milborne declares that 'The Deputy Governor here hath acted more like a brute than a man, or at least an Englishman. It is the generall desire of the Inhabitants to be relieved of their oppressions, and of nothing sooner than this Tyrannical Deputy Govern^{r}.'[2] Such extravagant charges refute themselves. The fact that after they had been heard he was continued two years in office by the King, although appointed by the Company, affords a strong presumption that they could not be substantiated. From whatever cause, however, he was unfortunate enough to encounter the most bitter hostility from the party in opposition to the Company, and reports were even spread that he had sold the Islands to the Spaniards. Coney arrived 29 January, 168$\frac{3}{4}$. There are no Minutes of Council recorded between 26 Feb. 1684 and 14 April, 1686, and the state of the colony was apparently one of anarchy: piratical visitors set all law at defiance, there was no Assembly, the Governor was at war with his Council, the Council refused to acknowledge his authority. This state of things lasted down to the arrival of his successor, Sir Robert Robinson, which occurred in April 1687.[1]

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[1] May 20, 1684, to Francis Burghill. Colonial Papers, xxxiii.

[2] Letter not addressed; probably to Burghill.

The following letter, signed by Sir John Heydon again as Deputy Governor, contains Colonel Coney's first appointment, and it is the last General Letter of the Bermuda Company recorded:—

1. Extracts from a General Letter dated London 25th October 1683.

Gentlemen,

(1) Wee have receiued from you the ffollowing Letters; one dated 27th December last by our Magazeene shipp Merchants Adventure, Captaine Stone Commander, whoe safely arrived with us the 5th March last; one other dated the 3rd Aprill last by our Magazeene shipp Constant Love, Captain John Bee, Commander, who safe arrived with us the 16th day of . . last, one other Letter from you dated 31st May last by the shipp Joseph and Ann Captain Cork Commander.

(2) You informe us that Captaine Seymour is dead, and that you thereupon made choyce of Mr Henry Durham to be Deputy Gouernor until wee should either confirm him therein, or make choyce of another. Wee take well what you did therein, and give the said Mr Henry Durham our thanks for his taking the Gouernment on him, and his carefull discharge thereof.

(3) We have thought fitt to make choyce of the Honble Collonell Richard Coney Esqr to be our Deputy Governor, and haue giuen him our Commission. He comes over in our Magazine shipp Constant Love Captain John Bee Commander.

You are upon his arrivall to receive him courteously, and yield all obedience and respects to him.

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[1] His commission, dated September 9, 1686, was read April 12. MS. vii. p. 189.

CHAP. XVIII. 1683–1687.

Wee have chosen Captaine Hubbard our Sheriff and Mr John Tucker Secretary. (Then follow lists of councillors and officers.)

(4) We have giuen our Deputy Governor severall Instructions and orders (amongst which) as a proper means to increase a good understanding between the Company and Country and prevent all complaints. Wee expressly order that within three months after his arriuall he call an Assembly, and haue given him several particulars to propose to such Assembly. Wee shall readily redresse any just agreeuances that such Assembly shall make to us.

Wee expect that all their acts and proceedings be pfectly drawne up and returned to us, and lett noe publication be made of any of them before it be confirmed by us and returned back to you.

(5) The *Quo Warranto* that was formerly brought against us is discontinued, Mr Attorney Generall did not think ffitt to proceede therein, apprehending that nothing could be done upon it to the prejudice of the Company. But upon a New Petition to his Matie and allegations of new matter, a new *Quo Warranto* is brought against the Company. Wee have not as yett appeared to it, but doe resolve to appeare this Terme and give our plea thereunto.

We are well satisfied this new prosecution is managed by one Capt Burrell assisted by Righton and others, and with the helpe of some money that still comes out of the Island, and that his Matie is not all one penny charge therein.

What benefitt will accrewe to the Country to have the Company dissolved, wee leave to the consideration of all sober men to judge.

The Governor wee now send, comes to you with the good liking and consent of his Majesty.

(6) The Shipp we now send you is the Constant Love John Bee master, that came lately from you, her stay is to be forty days and no longer, within which time you are to cause to be laden on board the said shipp all the Tobacco of the growth of the said Island this present yeare 1683, and the Tobacco of the last yeare, if any is left; wee are of opinion she will be sufficient to carry off all the Tobacco.

(7) We expressly order and require you, pursuant to the Lawes and Orders of the Company, that you doe not permitt any private shipp or vessel upon any pretence whatsoever to take in any Tobacco till our said ship be laden. But if she be not able to bring away all the Tobacco (not willing to leave any behind for want of shipping) wee recommend it to the care of you our Governor to hyre such shipps as you shall judge suffi-

cient to bring away the same, and oblige the Master by charter party in the same manner the Master of the shipp we now send you is; and that hee do not take in any Tobacco but of such as will take the Companys's Receipts and Bills of Lading, and that hee signe none but according to the fforme wee send; hee is also to be obliged not to deliuer any Tobacco till the owner thereof haue paid or secured the Company's duties, and that such other securityes wayes and meanes be taken as will effectually secure us our Dutyes.

The master of the shipp we now send to you is to sign the Companyes Receipts and Bills of ladeing and none other.

(8) The last yeare a great quantitye of Tobacco came over, but so mixt with Bashaw Tobacco, that little of it proved good; and if a great part of it (as by Law it ought) had been burnt in the Country it had been better both for the Merchant and Planter.

The Planters that this yeare came over are eye witnesses of the cheats and ill using of Tobacco, and the great quantityes that lye rotting on the Merchants hands, and the losse they are like to sustaine.

The making of good, sound, and merchantable Tobacco, and destroying the bad, and prohibiting the bringing in of Virginia Tobacco or any other Tobacco must be effectually taken care of, or otherwise the trade of the Island will be ruined. . . . .

(9) Wee order that you our Sheriff do forthwith demand of Mr Arthur Jones and of all persons that did lade Tobacco on board of his shipp, or on board Capt Norwoods shipp, the dutyes for all the said Tobacco, an account of all which wee send you, and if any refuse payment thereof, then that you bring and prosecute in the name of us the Governor and Company of the City of London for Plantation of the Somer Islands, an Action for the duties of Tobacco against such person or persons as refuse payment thereof.

(10) For the better preventing the carrying away Tobacco in private shipps, and securing our Dutyes, wee haue drawne the forme of a Bond, which wee have caused to be printed, and send them to you. Wee require you to take such Bond of all Masters of Shipps and vessells, as well those of the Island as all others that shall come into the Island (except our Magazeene ship) and that before you permitt any such private shipp or vessell to anchor or stay in the Island, or to be dispatched from the said Island, and that no shipp or vessell have their dispatches, or be suffered to go out till the Master thereof hath given the said Bond.

We expressly order that all Commanders of Forts do stopp all shipps or vessells as shall offer to go out before they have

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their dispatches, and if any Commander refuse or neglect to do the same; we then order you our Governor to putt him out of his office, and put another in his place, until we shall give order therein, and in every of your General Letters that you give us an account of all the Bonds you take. . . . .

(11) The Letter M^r^ Sampson Bond sent to our Govern^r^ hath been communicated to us wee take well what M^r^ Bond hath done, care is and wilbe taken for payment of his and the other ministers there Salary, and according to your desire send back to you M^r^ John Ffowle to continue with you one of our ministers. . . . .

(12) Wee lately writt in behalfe of the Grantees for the whale fishing, and doe again att their request order and comand that you our Gouerno^r^ doe forthwith yssue out your Proclamation prohibiting all person or psons whatsoeuer to ffish for whales: saue only the said Grantees, their Agents and assignes: and if any pson or psons saue only the said Grantees, their agents and assignes, shall after such proclamation had, ffish for whales that you do then employ your power effectually to hinder the same, and bring such persons to condigne punishment. And wee further order and comand you our Gouernor Counsell and Sherriffe and all our Officers to put in Execution all Lawes, Orders, powers, and authorityes by us heretofore made concerning whale fishing and not to hinder but in althings to be helping ayding and assisting to the said Grantees their agents and Assignes in the managem^t^ Carrying on and concerne of the said whale fishing.

(13) Wee have thought fitt to alter the forme we formerly used of setting our hands to our Generall Letter, and haue ordered that for the future all Letters that come to you from us, shalbe signed by our Gouernor or Deputy and sealed with the seale of our Company, according to the fforme of this our Letter, and thus committing you to the protection of the Almighty,

Wee rest your very Loueing friends

Signed and sealed by order of Court

Jo Heydon DG

Sadlers Hall London 25 Oct 1683

To our very Loueing Friends The Hon Colonel
Richard Cony Esq^re^ our Deputy Governor and
the Counsell of the Somer Islands

2. (1) Colonel Coney's commission is a more simple document, and considerably shorter than the former examples

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given,[1] to which, however, it bears a general resemblance. He receives full power and authority to use, exercise, and put in execution the office and place of Governor, Commander-in-Chief, and Captain-General, in as large and ample a manner as any former Governor hath been authorized to use, &c., the like command, as may be most for the preservation and advancement of religion among the inhabitants there, and the ease, comfort, and benefit of the Islands and people.

His instructions enter more fully into details; and, as the last that were issued by the Bermuda Company, will be given at length:—

(2) Instructions and Directions for Richard Cony Esq^{re} lately elected Deputy Governor of the Somer Islands. Given to him by the Governor and Compa. of the Citty of London for Plantation of the Somer Islands 25 October 1683.

1. You are to give good example to the Inhabitants of the said Island, by frequenting the Church and the practice of the Xtian religion.

2. You are to vse yo^{r} vttmost endeavors to keepe the people there in due obedience to the Kings Ma^{ties} his heyres and Lawfull successors, and to this compa subordinate to his Ma^{tie}.

3. You are to tender the oath of allegiance to the Councell^{ors} and other officers there, and allsoe to such others as you think fitt when you see it necessary.

4. You are to see that the Inhabitants doe in no kind give any just cause of offence to those Princes or states with whom his Ma^{tie} is in League.

5. You are to see to the defence and preservation of the Island, and to have a principall care that the fforts be in good repaire, and that the Guns be well planted and served and that there be sufficient store of Armes and Amunition and that they be diligently attended with a competent number of the publique tennants so trained that they may be serviceable and that they both day and night watch and attend there and if you finde any old or vnfitt for that service lett consideration be had of their former service and an allowance out of the generall Levy be made them, and lett able and skilfull men be putt in their stead, and if the militia is not so well settled as it ought to be,

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[1] Vol. I. p. 261.

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you are to dispose and discipline them soe as they may be serviceable, and at all times bee in a Readinesse vpon any suddaine allarme.

6. There be diverse particulars that concerne the due administration of Justice and Governem^t of the Island w^{ch} are fully expressed in the Compa^s Book of Law, and therefore need no repetition onely wee will point out the severall numbers of those wee principally meane not excluding the rest.

Law 134 to 143. Inclusively from 146 to 151 Inclusively 153 from 158 to 161, inclusively from 172 to 178, there are allsoe severall other Lawes instructions and orders made by the Compa. and Ltres by them sent to yo^r Predecessors w^{ch} you are carefully to look over and consider and cause the same to be executed.

You are to endeavour to prevent vexatious suites betweene the Inhabitants for little and frivolous matters, by discountenancing such proceeding, and in all cases take care that right be done and with expedition.

7. And as a proper meanes to increase the good vnderstanding betweene the Compa. and Country and prevent all complaints wee expressly order that within three months after your arrivall you call an assembly, and referr you to the 139 and 140 printed Law that will direct you as to their number, and that you are to be President, to moderate and governe them, and you have a negative upon all their actings, so that its not in their power without you to debate or act anything. And by 160 Law the secretary is to hold the place of Speaker, and keep a register of all Acts and Debates, and that all such acts be p.fectly drawne vp and retorned to vs, But lett no publicacon be made of any Law vntil it be confirmed by vs, and retorned back to you, and if you finde the Assembly proceede in a Tumultuous or irregular manner Wee then give you power to dissolve them, and if you thinke fitt, to call another assembly, and of all their proceedings therein wee expect you retorne vs an account by the ffirst conveyance.

8. You are to propose or cause to be proposed to the Assembly these following particulars.

(1) The Duty of one penny per lb on all tobacco but soe as the comp^a may lessen the duty to what proporcon they shall think fitt from time to time as the affaires of the Compa in the Governm^t of the Island shall require, and that noe person be p. mitted to lade any tobacco on the Comp^a magazine shipp or shippes or any other shipp or vessells before security given for the paym^t of the kings customes and the Compa^s Dutyes, or else that the Tobacco be consigned to the Husband of the Compa. here, and by him deliuered to such p.son here as the partye

that lades it shall direct, and soe as the Kings customes and the Compa^{s} dutyes be first paid.

(2) The putting in execution the companys Laws for the making of good sound and merchantable Tobacco and for distroying the bad tobacco, and to reduce them into one Law that may effectually prevent the mischiefe that will otherwise ruine the Trade of the Islands.

(3) That the Houses of S^{t} Georges be all shingled for preservation of the magazine shipp, and that all fortifications and publique houses and places be sufficiently repaired and made good at the country's charge as the same hath always been by Leavyes, and that the publique charge of the Island be done by Leavy, and that the assembly settle such Leavy and direct the payment thereof That noe disputes for the future may arise concerning the same The Compa never as yett was att any charge herein, and the settling their Leavy is of absolute necessity and for the safety and interest of the Island.

(4) That a Law be made that two assizes be yearely held at such seasons as the Govern^{r} and councell shall direct, and all p.sons whose Duty it is are obliged to attend accordingly.

(5) That the Lawes for Sabboth breakers Swearers, Drunkards, and Lewd persons be re-enforced and further punishment inflicted if needfull.

(6) Vpon sending over appeales to the Compa you are to take care that the matter of it be clearely stated, togeather with the proofes as it did appeare att the tryall in the Island, and that the persons concerned in that appeale doe appoint some p. sons to appeare for them before the compa vpon their heareing of the cause. That the assembly consider of some speedy and effectuall way for merchants and strangers to recover their Debts in the Islands. That the assembly consider of the school land publique land and other publique Revenues, in whose hands they now are, how they claime the same, and by what lease or grant, for what terme, and att what rent and what service they are obliged to over such rent, and whether such service may well be p.formed, and an increase of rent without oppression to the poore.

(7) There are severall negroes mollatoes and mustees[1] belonging to the Compa in severall private hands, the w^{ch} by a Law ought to be seized and an account of the same retorned As allsoe what servants the Govern^{r} and other officers want, that soe they may be thereby supplied with their full numbers according to the printed Book of Lawes, and that the overplus may be so disposed of and applied in repaires and new fortifications That such Law provide that the Governor and other officers leave the like num-

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[1] Mustees; see a note, p. 389.

ber to each of their successors, that so such number be perpetuated.

(8) To make a Law to ympose Port charghes, and the Duty of a Pilott, and that there be two Pilotts and they to be searchers and to appoint an oath for the better execucon of their office their ffees to be appointed, and all officers ffees for the Despatch of shipps to be ascertained.

(9) To make a Law that will preserve the Timber of the Islands and restraine the building of shipps.

(10) That a yearely income such as is fitt for a Governo^{r} may be ascertained by a Law and it raised out of the Probate of Wills, processes at Law and such other way as may be most for the ease of the Inhabitants.

9 The whale fishing concerne to be considered of and settled by the Grantees from whome you are to have directions therein.

Signed by order of Court, and allsoe sealed with the seale of the said Comp^{a}.

J. Heydon, D: G:

Sadlers Hall London
xxvth October 1683.

3. At the Court of Whitehall The 23rd day of November 1683.

Present The King's Most Excellent Majesty.

Lord Arch B. of Cant.
Lord Keeper
Lord President
Lord Privy Seal
Duke of Albemarle
Duke of Beaufort
Earle of Huntingdon
Earle of Bridgewater
Earle of Chesterfield
Earle of Peterborough
Earle of Sunderland
Earle of Clarendon
Earle of Bathe
Earle of Crauen
Earle of Nottingham
Earle of Rochester
Lord Viscount Ffauconborge *sic*
M^{r} Secretary Jenkins
M^{r} Chancellor of the Excheq^{r}
M^{r} Chancellor of the Duchy
M^{r} Godolphin

(1) It was this day ordered by his Ma^{tie} in Councell that S^{r} Robert Sawyer knight his Ma^{ties} Attorney General do forthwith appoint such person or persons as he shall thinke fit to peruse the Bookes and Records and all other publique Letters and papers belonging to the Bermuda Company as well here as in the said Islands and to take coppies of such things as he or they shall thinke fit for his majestys service in order to the better prosecution of the Quo Warranto lately brought against the Charter of the sayd Company whereof the said Company and

all their officers and all others who have any of the sayd Bookes Publique letters and other Records in their Custody are to take notice and permitt the same accordingly

FRANCIS GWYN.

(2) I do appoint Mr Mathew Morris and Mr Thomas Smith to inspect the Companie's Records &c above said remaining here in England. And Mr Samuel Trott Mr John Stowe Mr William Peniston Mr Will Righton and Mr John Stone or any two of them to inspect the Books Records &c of the said Company remaining in the said Islands according to the direction of his Mat^ies council above written.[1]

R. SAWYER.

4. At a great and generall Quarter court, being a court for the election of officers for the Somer Islands Comp. held at Sadlers Hall 7 May 1684.

A Law for the restraining and punishing Privateers and Pirates, endorsed 'This law is not yet sent into the Island.' (Sept. 1684.) It refers to the continual violation not only of Articles concluded and agreed upon in Treaties, but of numerous proclamations of His Majesty, by his subjects entering into foreign Princes' service, and sailing under their commissions. Enacts the penalty of Death, without benefit of clergy, for any subject engaging in hostilities by sea or land against any Prince or State in amity with the Crown. This act is acknowledged by the Privy Council 13th May.[2]

5. By a schedule annexed to a Deed of Sale of Public Lands dated 7 May, 1684, the Company's debts are shown to amount to £1592. 10s., the largest creditors being their own officers or Ministers—e.g. Sir John Haydon £220, Rev. Sampson Bond £200, Rev. J. Ffowle £200, Rev. H. Vaughan £158, Rev. W. Edwards £175, Richard Stafford £29, &c.

The lands proposed to be sold were 2 shares at the W. end of St Georges Island, 50 a.; Long Bird Island, 46½ a.; Cooper's Island, 77½ a.; 2 shares at Tucker's Town, 50 a.

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[1] The order for the examination of the books in Bermuda was transmitted by F. Burghill to Sam Trott and W. Righton, and received by them July 8, 1684; next day four of the Commissioners named served the Secretary with a true copy, and showed him the original. That officer very properly referred them to the Governor. They write, August 11, that he treated them with violence and indignity, threw difficulties in their way, and ultimately withdrew permission to peruse the books. 'Also as the Governor and Councell have made the executing the Kings commands very troublesome, so has it proved chargeable to the expense of £20, without consideration of Mr. Bysshe's attendance.' (Colonial Papers, xxxiii.)

[2] 'Colonial Entry Book,' vol. cvii. p. 290.

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6. At the Committee for Trade and Plantations in the Council Chamber at Whitehall Wedn. 2nd July 1684.

Present The Lord Keeper, The Lord President, and six more.

A Letter from the Earl of Sunderland dated the 30th of June last read, acquainting their Lordships that a verdict having been given vpon a Quo Warranto ag^{st} the Charter of the Bermuda Company, His Ma^{ty} hath appointed M^r Francis Burghil to goe as his Gov^r to those Islands, and ordered their Lordships to consider of and prepare such commissions and Instructions as they shall think requisite on this occasion After which an order in council dated 27th of June last is read,[1] whereby it is referred to their Lo^{ps} to inform themselves of the state and condition of the Summer Islands, and to report to his Ma^{ty} what Government they judge fittest for his Majestys service and the good and benifit of his subjects trading to and inhabiting those Islands As also to consider and report their opinions in order to entering Judgement vpon the Quo Warranto brought against the Charter of the Bermuda Company Whereupon their Lo^{ps} being also acquainted that the Bermuda Company have lately alienated their Lands for payment of their Debts It is ordered That they attend the Committee on Wednesday the 16th Inst. to give an accompt of their debts and the manner of payment intended by them And that a Draught of a commission and Instructions for the government of those Islands bee prepared against that time.

7. The company was also ordered on the 23rd July to produce all the Laws Rules and public orders of Government that were in force in the Islands either in print or otherwise, together with an accompt of the past and present state of the public Lands and other parts of the Revenue with an Abstract of such Books and Papers as may bee necessary for the better settlement of that Plantation.

8. On the 6th August Alderman Chaloner and others of the Bermuda Comp. were called in and an indenture dated the 7th May last, between the Comp. and W^m Gove and others read Whereby the Compa doth release and confirm vnto them for ever All their Lands Tenements &c in Trust that the profitts for the three years shall bee received by the Company if they remain a Body Politick The remainder to Gove and others, for the payment of the $comp^{as}$ debts, according to a schedule annexed, and the overplus to bee disposed of according to the Companys direction.

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[1] See 'Colonial Entry Book,' vol. xvii. p. 100.

Whereupon their Lo^{rs} think fit that y^{e} Comp^{a} specify when and how the Debts mentioned in the schedule were contracted and for what particular vse, as also that the company specify in writing what Dutys and Revenues have of late years been levied and raised for the support of the Government, whether within the Summer Islands or here in England, with the orders by which they were received as alsoe the Imposts or dutys payable by shipps and their ladings, as alsoe that they send all the printed Laws and attested copies at length of all the written laws now in force, with the Bye Laws, Decrees, and other Proceedings and orders relating to the Government of the Summer Islands. This was done 25th Sept.

9. 20 August 1684 A Letter from Colonel Coney to the Earl of Plymouth is read, praying that he may be continued by His Ma^{ty} in that Government.

24 August 1684 M^{r} Blathwayt Clerk to the Council is ordered to write to Colonel Coney as from himself, that His Ma^{ty} is pleased to declare that he will continue him in the Government of those Islands, accordingly he received in due time the following Royal commission :—

10. The first commission to a Governor of Bermuda from the Crown, 1684.

James the Second by the grace of God, King of England, Scotland, France and Ireland Defender of the Faith &c To Our Trusty and welbeloved Richard Cony Esquire Our Lieutenant Governor and Comander in cheif in and over all those Our Islands and Plantation commonly called the Bermuda or Summer Islands.

(1) Whereas a Quo Warranto was lately issued against the Bermudas Company for many Misdemeanors and Misgovernments by them committed, vpon which a Tryal was had at the Barr of Our Court of King's-Bench the last Trinity Term, and thereupon the said Company stand convicted of several Misdemeanors and Judgement entred against them ; whereby the Government of the said Islands is now in our hands.

(2) And Wee being willing to give all protection and encouragement to Our subjects within Our said Islands, and to provide in the most effectual manner for the security and good Government of the same. Wee therefore reposing especial trust and confidence in the Prudence, Courage and Loyalty of you the said Richard Cony, of Our special grace, certain knowledge and meer motion, have thought fit to constitute and appoint and by these presents doe constitute and appoint you the said Richard Cony to bee Our Lieutenant Governor and Commander

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in cheif in and over all those Our Islands and Plantation in America commonly called the Bermuda or Summer Islands, with all their rights, members and appertinances whatsoever,

(3) And, for your better guidance and direction, Wee doe hereby require and command you to doe and execute all things in due manner that shall belong vnto your command and the Trust Wee have reposed in you according to the several Powers, Instructions and Authoritys menconed in these presents, or such further Powers, Instructions and Authoritys as you shall now receive or which shall at any time hereafter bee granted or appointed you vnder Our Signet and Signe-Manual or by Our Order in Our Privy Council and according to such reasonable Laws and Statutes as are now in force or shall bee made and agreed vpon in such manner and form as is hereafter expressed.

(4) And Our Will and Pleasure is that you the said Richard Cony having (after the publication of these Our Lres Patents) first taken the Oath of Allegiance together with the Oath of duly executing the Office of Our Lieutenant Governor and Commander in chief of Our said Islands (which Our Council in the said Islands or any three of them are hereby required, authorized and impowred to give and administer vnto you) you shall administer vnto each of the Members of Our said Council as well the Oath of Allegiance as the Oath for the due execution of their places and Trust.

(5) And Wee doe hereby give and grant vnto you full power and authority to suspend any of the Members of Our Council from sitting, voting and assisting therein, as you shall find just cause for soe doing.

(6) And if it shall at any time happen that, by the death, departure out of the said Islands, or suspension of any of Our Counsellors or otherwise, there shall bee a vacancy in Our said Council (any Five whereof Wee doe hereby appoint to bee a Quorum) Our Will and pleasure is that you signify the same vnto vs by the first opportunity that Wee may, vnder Our Signet and Signe Manual, constitute and appoint others in their room.

(7) But that Our Affairs, at that distance, may not suffer for want of a due number of Counsellors, If ever it shall soe happen that there bee less than seaven of them residing within Our said Islands, We doe hereby give and grant vnto you full power and authority to choose as many persons out of the Principal Inhabitants thereof as will make vp the full number of Our Council to bee seaven and noe more. Which persons soe chosen and appointed by you shall, by virtue of such choice, remaine Counsellors in Our said Islands, vntil they are either confirmed by vs, or that, by Our nomination of other Counsellors in their

stead vnder Our Signe Manual and Signet, the said Council shall have above seaven persons in it.

(8) And Our Will and Pleasure is that every Member of Our said Council suspended by you or displaced by vs, shall during such suspension and after being soe displaced, bee vncapable of being chosen a Member of the General Assembly.

(9) And Wee doe hereby give and grant vnto you full power and authority, with the advice and consent of Our Council from time to time as need shall require, to Summon and call General Assemblys of the Freeholders and Planters within yoʳ Government according to the vsage of Our other Plantations in America.

(10) And Our Will and Pleasure is that the persons thereupon duly Elected by the major part of the ffreeholders or Planters of the respective Divisions and soe return'd (and having before their sitting taken the Oath of Allegiance which you shall Commissionat fit persons vnder Our Seal of the said Islands to administer vnto them and without taking which none shall bee capable of sitting thô elected) shall bee called and held the Assembly of those Our Islands.

(11) And that you the said Richard Coney by and with the advice and consent of Our said Council and Assembly or the major part of them respectively, have full power and Authty to make, constitute and ordain Laws, Statutes and Ordinances for the Publick peace, welfare and good Government of Our said Islands and of the People and Inhabitants thereof and of such others as shall resort thereto, and for the benefit of Vs Our Heirs and Successors.

(12) Which said Laws, Statutes and Ordinances are to bee (as near as conveniently may bee) agreeable vnto the Laws and Statutes of Our Kingdom of England. Provided that all such Laws, Statutes and Ordinances of what Nature and duration soever bee within three months or sooner after the making of the same, transmitted vnto vs vnder Our Seal of those Islands for Our allowance and approbation of them; As alsoe Duplicats thereof by the next conveyance.

(13) And in case all or any of them (being not before confirmed by vs) shall at any time bee disallowed and disapproved and soe signified by vs, Our Heirs and Successors vnder Our or Their Signe Manual and Signet or by Order of Our or their Privy Council vnto you the said Richard Cony or to the Commander in chief of Our said Islands for the time being, then such and soe many of them as shall bee soe disallowed and disapproved shall from thenceforth cease, determin and bee vtterly void and of none effect, any thing to the contrary thereof notwithstanding.

(14) And to th' end nothing may bee passed or done by Our said Council or Assembly to the prejudice of vs, Our Heirs and Successors, Wee will and ordain that you the said Richard Cony shall have and enjoy a Negative Voice in the making and passing of all Laws, Statutes and Ordinances as aforesaid.

(15) And that you shall and may likewise from time to time, as you shall judge it necessary, adjourn, prorogue and dissolve all Assemblys as aforesaid.

(16) And Our Will and Pleasure is that you shall and may keep and vse Our Seal appointed or to bee appointed by vs for those Our Islands.

(17) And Wee further give and grant vnto you the said Richard Cony full power and authority from time to time and at any time hereafter, by your self or by any other to bee authorized by you in that behalf, to administer and give the Oath of Allegiance now established within Our Realm of England to all and every such persons as you shall think fit who shall at any time or times pass vnto Our said Islands or shall bee resident or abiding there.

(18) And Wee doe hereby give and grant vnto you full power and Authority, with the Advice and consent of Our Council to erect, constitute and establish such and soe many Courts of Judicature and Publick Justice within Our said Islands as you and they shall think fitt and necessary for the hearing and determining of all Causes as well Criminal as Civil according to Law and Equity, and for awarding execution thereupon, with all reasonable and necessary Powers, Authoritys, Fees and Privileges belonging vnto them. As alsoe to appoint and Commissionat fit persons in the several parts of Our said Islands to administer the Oath of Allegiance vnto such as shall bee obliged to take the same.

(19) And Wee do hereby grant vnto you full power and authority to constitute and appoint Judges and, in cases requisit, Commissioners of Oyer and Terminer, Justices of the Peace, Sheriffs and other necessary Officers and Ministers within Our said Islands for the better administration of Justice and putting the Laws in execution, and to administer such Oath and Oaths as are vsually given for the due execution and performance of Offices and places, and for the clearing of Truth in Judicial Causes.

(20) And Wee doe hereby give and grant vnto you full Power and Authority where you shall see cause and shall judge any Offender or Offenders in Capital and Criminal matters or for any Fines or Forfeitures due vnto vs, fitt objects of Our Mercy, to pardon all such Offenders and to remit such fines and forfeitures,Treason and Wilfull Murther only accepted, In which

casė you shall likewise have power, upon extraordinary occasions to grant Repreives to the Offenders therein vntil, and to the intent, Our pleasure may bee further known.

(21) And Wee doe by these presents give and grant vnto you full power and authority to collate any person or persons to any Churches, Chapels or other Ecclesiastical Benefices within Our said Islands as often as they shall happen to bee void.

(22) And Wee doe hereby give and grant vnto you the said Richard Cony by your self, your Captains and Cōmanders by you to bee authorized full power and authority to levy, arm, muster, command or imploy all persons whatsoever residing within Our said Islands. And, as occasion shall serve, them to transferr from one place to another for the resisting and withstanding of all Enemys, Pirats and Rebells both at Land and sea, and to transport such Forces to any of Our Plantations in America as occasion shall require for the defence of the same against the Invasion or Attempts of any of Our Enemys.

(23) And them, if occasion shall require, to pursue and prosecute in or out of the limits of Our said Islands and Plantations or any of them.

(24) And (if it shall soe please God) them to vanquish and, being taken, either according to the Law of Arms to put to death, or keep and preserve alive at your discretion.

(25) And to execute Martial Law in time of Invasion, Insurrection or Warr and during the continuance of the same: And to doe and execute all and every other thing which to a Captain General doth or ought of Right to belong as fully and amply as any Our Captain General doth or hath vsualy done.

(26) And Wee doe hereby give and grant vnto you full power and authority to erect, raise build and maintain within Our Islands aforesaid such and soe many Forts, Platforms, Towns and Fortifications as, by the advice aforesaid, shall bee judged necessary.

(27) And the same or any of them to fortify and furnish with Ordnance, Ammunition and all sort of Arms fit and necessary for the security and defence of Our said Islands: And the same again or any of them to demolish or dismantle, as may bee most convenient.

(28) And Wee doe hereby give and grant vnto you the said Richard Cony full power and authority to erect one or more Court or Courts Admiral within Our said Islands and Territorys for the Hearing and Determining of all Marine and other Causes and matters proper therein to bee heard with all reasonable and necessary powers, Authoritys, Fees and Privileges.

(29) And alsoe to exercise all Powers belonging to the place and Office of Vice-Admirall of and in all the Seas and Coasts

about your Government, according to such Commission, Authority and Instructions as you shall receive from Our Self vnder the Seal of Our Admiralty or from Our High Admirall of Our fforreign Plantations for the time being.

(30) And forasmuch as divers Mutinys and Disorders doe happen by persons shipped and imployed at sea. And to th'end that such as shall bee shipped or imployed at Sea may bee the better governed and ordered, Wee doe hereby give and grant vnto you the said Richard Cony Our Lieut Governor and Commander in cheif full power and authority to constitute and appoint Captains of Ships and other Commanders, and to grant vnto such Captains of Ships and other Commanders Commissions to execute the Law Martial and to vse such Proceedings, Authoritys, Punishment correction and execution vpon any offender or offenders which shall bee mutinous, seditious, disorderly or any way vnruly either at Sea or during the time of their abode or residence in any of the Ports, Harbors or Bays of the said Islands or Plantations as the cause shall bee found to require according to Martial Law Provided that nothing herein contained shall bee construed to thenabling you or any by your Authority to hold plea or have Jurisdiction of any offence, cause matter or thing committed or done vpon the High Sea, or within any of the Havens, Rivers or Creeks of Our said Islands or Territorys vnder yo^r^ Governm^t^ by any Captain, Commander, Lieuten^t^ Master, or other Officer, Seaman, soldier or person whatsoever who shall be in actual Service and pay in and on board any of Our Ships of Warr or other Vessels acting by immediat Commission, or Warrant from Our Self vnder the Seal of Our Admiralty or from Our High Admirall of England for the time being. But that such Captaine, Commander, Lieut, Master, Officer, Seaman, Soldier, and other person soe offending shall bee left to bee proceeded against and tryed as the merit of their offences shall require, either by Commission vnder Our Great Seale of England as the Stat of the 28 H. 8. directs, or by Commission from our High Admirall for the time being according to the Act of Parliament passed in the 13^{th} year of the Reign of the late King Our Most Dearly Belovéd Brother, entitled an Act for the establishing Articles and Orders for the regulating and better government of His $Ma^{ty's}$ Navy, Ships of Warr and Forces by Sea and none otherwise; saving only that it shall and may bee lawful for you vpon any such Captain or Commander's refusing or neglecting to execute or upon his negligence or vndue Execution of any the written Orders hee shall receive from you for Our Service and the Service of Our said Islands, to suspend him the said Captain or Commander from the Execution of the said Office of Commander and com-

mit him into safe custody either on board His own Ship or elsewhere at the discretion of you in order to his being brought to answer for the same by Commission either vnder Our Great Seale of England or from Our High Admirall for the time being as is before expressed. In which case Our Will and pleasure is that the Captain or Commander soe by you suspended shall, during such his suspension and commitment bee succeeded in his said Office by such Commission or Warrant Officer of Our said Ship appointed by Our Self or Our High Admirall of England for the time being as by the known practice and disciplin of Our Navy does and ought next to succeed him as in case of death, sickness or other ordinary disability hapning to the Commander of any of Our Shipps and not otherwise; You standing alsoe accountable to Vs for the truth and importance of the crime and misdemeanors for which you shall soe proceed to the suspending of such Our said Captain or Commander.

(31) And Our further Will and pleasure is that all Publick Money raised or to bee raised within Our said Islands bee issued out by Warrant from you (or any other person in your absence commissionated by vs to bee Commander in cheif and disposed of by you or such Commander in cheif for the support of Our Government in those Our Islands.

(32) And Wee doe hereby give you full Power to appoint ffairs, Marts and Markets as you, with the advice of Our said Council shall think fitt.

(33) And Wee doe likewise grant vnto you full Power and Authority to order and appoint within our said Islands such and soe many Ports, Harbors, Bays, Havens and other Places for the convenience and security of Shipping, and for the better loading and vnloading of Goods and Merchandises in such and soe many Places as by You with the advice and consent of Our Council, shall be thought fitt and convenient. And in them or any of them to erect, nominate and appoint Custom-Houses, Ware-houses and Officers relating thereunto, and them to alter, change, place or displace from time to time as, with the advice aforesaid shall be thought fitt.

(34) And Wee doe hereby require and command all Officers and Ministers Civil and Military and all other Inhabitants of Our said Islands to bee obedient aiding and assisting vnto you the said Richard Cony in the Execution of this Our Commission and of the Powers and Authoritys therein contained. And in case of your death or absence out of Our said Islands, vnto the Commander in cheif to bee appointed by vs, to whom Wee doe by these presents give and grant all and singular the Powers and Authoritys aforesaid to be executed and enjoyed by him during Our pleasure or vntill your arrival within Our said Island.

(35) And if vpon such death or absence there bee noe person vpon the place appointed by vs to bee Comander in cheif; Our Will and Pleasure is that the then present Council of Our said Islands doe take vpon them the Administration of the Government and execute this Commission and the several Powers and Authoritys herein contained. And that the first Counselor who shall bee at the time of your Death or absence residing within Our said Islands doe preside in our said Council, with such powers and preheminences as any former President hath vsed and enjoyed within Our said Islands or any other Our Plantations in America vntil Our further Pleasure bee known, or your arrival as aforesaid for and during Our Will and Pleasure.

(36) And lastly Our Will and Pleasure is that you the said Richard Cony shall and may hold execute and enjoy the Office and place of Our Lieutenant Governor and Commander in cheif in and over Our Islands aforesaid, with all rights, members and appurtinances whatsoever thereunto belonging, together with all and singular the Powers and Authoritys hereby granted vnto you for and during Our Will and Pleasure.[1]

11. Richard Banner, Secretary to the Company, handed in, 25 Sept. 1684, an abstract of all Laws and Orders imposing taxation, and an abstract of the Company's debts, which may be condensed as follows:—

(1) Is the order of 8 December, 1623, given in full vol. i. p. 324. It was agreed to by the Company, 17 December, 1620.

(2) At a Quarter Court, 9 February, $165\frac{8}{9}$, a duty of a penny per lb. was ordered to be levied on all tobacco imported from the Somer Islands, the growth of the place, for maintenance of ministers, supply of ammunition, payment of officers in England and in the colony, and other public charges, with right to alter and change the same. Pursuant to this order he reports that duties ranging from one halfpenny to twopence per lb. have been received by the Company, and applied to the support and charge of Government.

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[1] The document is thus recorded, without date or signature, but there seems no reason to doubt that it is a copy of the actual commission of Colonel Coney.

(3) The Act No. 3 of 1620 (vol. i., p. 167) is given for a levy for maintaining the garrison of the King's Castle, viz.: 30,000 ears of corn, and 1,000 lbs. of tobacco; this charge to be equally distributed between the undertaker in England and the planter. It is said that this levy of corn hath been since raised yearly for the maintenance of the castle soldiers (12), and also the levy of tobacco, which has been applied for the castle soldiers, the repair of the forts, Governor's and Secretary's houses, the bridges, and for the general good of the Islands. The amount has been about 5 lbs. a share, sometimes more, sometimes less. 'I am informed the whole leavy is sometimes less than £30 sterl.'

Powder money is raised by the Sheriff and carried to the General Account. The Company's rents for public lands amount to 1,044 lbs. of tobacco per annum, mostly at 50 lbs. per share of 25 acres. For Trunk Island was paid in 1679 10 lbs.; Cooper's Island, 40 lbs.; Longbird Island, 80 lbs. of tobacco.

The public charge in 167$\frac{8}{9}$ was 5,998 lbs. It appears by the Schedule of Debts, which amounts to £1,592. 10s. 4d., that the Company paid a rent of £16 per annum to the Saddlers' Company for the use of their hall, and paid salaries as follows:

To the Dep Gov. in London £20. The Beadle £20.
To the Treasurer £20. The Husband £20.
To the Secretary £20. To the Searcher £10.
To the Dep^{y} Governor in Bermuda (to whom 4 years were due) £50.
To each Minister £40 (4 to 5 years in arrear).

There was an estimated credit of £400 for impost of duty payable for the ship 'Constant Love,' lately arrived, at halfpenny per lb. on her lading of tobacco.[1]

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[1] The Company's taxes are elsewhere stated to have been (1) 1*d.* per lb. on tobacco, producing one year with another, 1,800*l.*; (2) 4*d.* a gallon on rum, which amounts to half the value of the beverage; (3) a tax of 5*s.* per head whenever they please; (4) a tax of 50 lb. of tobacco per share; (5) a corn tax for maintaining the forts. Also 1 lb. of powder per ton from all shipping.

In calculating the sources of a future revenue Burghill's estimate was that 120 shares of Crown lands at £5 per share would yield £600 per annum, out of which should be paid to 5 ministers £40 per annum each, to the Governor £200, to buying of guns, powder, &c., £150. The Assembly to settle a duty of 4½ per cent. upon his Majesty, his heirs, and successors. Tenure of land to be by Knight's service. Every share of land to be bound on emergent occasions to send two men to serve against an invader.

12. Minute of the last recorded Council under the Bermuda Company, held at S^{t} Georges, 14–21st October, 1684.

Then present Hon^{ble} Colonell Richard Coney Gou^{r} Capt Gen^{l}
M^{r} Joseph Darrell Capt^{n} John Hubbard Sherife
John Huchings Capt^{n} Henry Durham
Thomas Fforster M^{r} Rich. Stafford
Copeland Lea Capt Geo Bascome
and M^{r} John Tucker Secrtarie

The proceedings are entirely occupied by depositions against a Mr. Henry Bysshe, who was brought out to Bermuda by Coney, for declaring in the course of conversation, as he was travelling in a boat with several of the Council and others, that 'the Company was broke, and that there was noe Government in this Island: that now was the time for the country to chuse Government, and several other scurrolus words against the present Governor and Governm^{t}. When some in the Boat said that they heard the Gouern^{r} should say he was a Rogue, Mr Bysshe replied that that Gouernor was as bad a Rogue as he was or a worse.'

These depositions were transmitted to England by Governor Coney in a letter dated 21 Oct., and a Proclamation issued 1st Novem. warning all 'persons upon their perills to yield obedience to the present Government under the Hon^{ble} Bermudas Company, for that nothing appeared to the Governor or Council that they had lost their Patent.'

13. Petition N° 6. The Assembly of 1684 against the Bermuda Company, rec^{d} by the Council of State, 14 Novem. 1684.

To the Kings most excellent Majesty. The Humble Petition of the Generall Assembly, the Representative Body of the Sommer Islands. Humbly sheweth.

Whereas King James of blessed memory did by his Gracious Letters Patents give and grant unto the first Proprietors of these Islands by the name of Treasurer and Company of the Somer Islands many Priviledges Liberties and Imunities w^{ch} Severall Bounds and Limitacons for the making and alteracon of Lawes absolutely necessary to the well being of these Islands and y^{e} Inhabitants thereof, w^{ch} said Proprietors did ordaine severall good and wholesome constitutions agreeable to the said Letters Patents w^{ch} were to be kept by them and their successors inviolably, Printed Anno Dni 1622, to which reference being had may more evidently appeare, in w^{ch} Patent His said Ma^{tie} hath given a considerable part of these Islands for the defraying of the Publique charges, part of w^{ch} lands the said Company have disposed of to Private vses, and have laid Taxes and Impositions upon our goods without y^{e} consent of the Inhabitants, extorting sometimes neer one halfe of the value of the only staple commodity of these Islands, and by their illegal orders to their Govern^{r} and Officers here have invaded our Liberties and Properties and Defeated us of o^{r} Birthright, and altho' we are yo^{r} Ma^{ties} Free-born subjects and successors of the said Proprietors and the farr greater part of the Freeholders, which we are given to vnderstand yo^{r} Sacred Ma^{tie} was pleased so to resent that a Quo Warranto was issued by order from yo^{r} most serene Ma^{tie} against y^{e} said Compa, which altho' yo^{r} Ma^{tie} was pleased to withhold the Prosecution of, in favor to the said Company, and from which we might have expected as an effect, if not some Reformation, yet a cessation of their unjust Impositions Lawes and orders whilst the said Quo Warranto was depending. But in their last generall Letter and orders to the Governor and Councell sent over to these Islands (*ante*, p. 517) they have ordered the taking away of a share of land from an Inhabitant here, without a tryall, and have commanded their officers to sue a person here for their illegal Impositions (by virtue of a Bond extorted from him) when the case is depending and the said person hath put in security to answer them in your Ma^{ties} Courts in the Realme of England, and they have by their Dep^{y} Governor imposed a Bond on your Ma^{ties} subjects repugnant to your Mat^{ics} Lawes, and for which Bond an vnusuall

Fee or Imposition is extorted by their Dep. Governor here, and the goods of yo^{r} Ma^{ties} subjects are here seized by the said Dep^{y} Governor without processe or tryall at Law, not suffring yo^{r} Ma^{ties} subjects to Replevin the same, and they have also ordered the taking away of our privileges imposing Fines and amerciaments upon us if we use them. Altho contrary to their owne Lawes we have been hindered from having an Assembly for ten years last past, and have smarted under the oppressive Laws and orders of the said comp^{a}, yet now, having presented our Aggreevances for Redress and our Acts for their approbation w^{ch} might have been a good means to have effected a happy union between the Comp^{a} and the Inhabitants yet the said Comp^{a} have not redressed our Aggrievances nor confirmed those Lawes we have sent unto them, but have just cause to feare that our Burdens shalbe by them increased, altho' by their oppression and Illegal orders, and Impositions we are every day made less able to beare them.

Wherefore most Deare and Dread Soveraigne we yo^{r} Mat^{ies} poor Petitioners knowing yo^{r} Royal Ma^{ties} heart is open to all, and the Acts of yo^{r} Ma^{ties} Royal Favour and Grace is like the ffire and Air common to all yo^{r} Ma^{ties} Loyall Subjects, our great necessities compelling us to beg redress from yo^{r} Ma^{tie} in this our Deplorable condition humbly and earnestly imploring yo^{r} most Sacred Ma^{tie} gracious Assistance to succour us in our Extremity and to pardon our rude lines as comming from poore distressed Planters, who are confident of nothing more than that they are and desire alwaies to be

Your Most Excellent Ma^{ties} most Humble most obedient and Faithfull subjects

Thomas Richards speaker
Jno Jaunceye
Thomas Seymour
Richard Matholin
Jer. Burrows
Thos Gibbs
Will Reece
Peter Prudden
William Pitt
Edward Johnson
William Melborne
Richard Penniston
Lawrence Dill
David Whitney
Joseph Stowe
Anthony White
Thomas Smyth

John Dickenson
Henry Harvey
Thomas Wainwright
W Greene
Nathaniel Butterfield
Nehemiah Tatum
Robert Tines
Thomas Outerbridge
Samuel Trott
Michael Burrows
Boaz Sharpe
Thomas Stowe
Arthur Jones
Will. Williams
Richard Gilbert
Cornelius Hinson

It illustrates in a striking manner the permanency of Bermuda society that, out of 31 family names in the foregoing list, nine or ten are to be found in the House of Assembly of the present day, and as many more are borne by native families of the class of gentry.

14. The end, long resisted, fell at last upon the unworthy representatives of the name and the powers of the once great Bermuda Company: a small leaf of paper headed 'Judgement against the Bermuda Charter' contains the following brief record:—

Dies Jovis qx post Quinden Sci. Martini Anno xxxvj Caroli Sedi Regis (27 November 1684)

London. Dnus Rex *v* Gubernator Et Societat Civit London pr Plant. de le Somer Islands	Ordinat. est qd Iudicium intretur pr Dno Rege versus Def et Lib.tat seisiant^{ur}

Ex mocōne Attorn. Dni Regis General^{s}

Burghill affirms that 'Having delayed the kings cause at Law from 1679 until Trinity Term 1684 the Company pretended the night before the trial that they would make no defence (when they could put it off no longer) in hopes to surprize the kings council, and at the Trial (when they found so many foul things proved against them) they pleaded That they were not the men: when it was disproved, they then pleaded the Act of Indemnity, when it appeared that should have been pleaded at first, and that many of their crimes were since, They would have drawn jurors and submitted, w^{ch} M^{r} Attorney General refusing, the Verdict went for His Majesty.'

The action is merely alluded to in Shower's Reports:—

'There was that' (an action of Quo Warranto) 'against the Bermuda Company, but they never appeared.'[1]

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[1] Showers, ii. p. 279. 1794. The formal entry of judgment upon the Rolls of Court has not been found. The nearest approach to it is an entry on the Controlment Roll, Trinity Term, 36 Car. II., for which I am indebted to Mr. S. R. Bird, of the Public Record Office, and which, being expanded, reads as follows:—'London. Intratio surreiuncionis Attornati Domini Regis nunc Generali eodem reiuncione Gubernatoris et Societatis Londoni pro plantatione de la Somer Island Quo Warranto clamant habēre tenēre uti et gaudēre diversos libertates privelegias et ffranchesias infra civitatem London et insulas predictas, unde impetrati sunt.'

This is followed by an entry of a replication of the aforesaid Governor and Company, and a note is superscribed —

'Iudicium pro Dno Rege Mich. xxxvi. Car. ij. Ro.'

15. The Company at the time of its dissolution, according to a paper preserved in the Record Office, was composed as follows :

The names of the Bermuda Company who rule at present, and what land they pretend to in the sd Islands.

Earle of Nottingham (D Finch) Gov^{r}	1	share of M^{r} Trotts
Sir Gilb Gerrard Dep. Gov.	1	of M^{r} Pyms
Sir Francis Gerrard	1	,,
M^{r} Barrington	1	of M^{r} Trotts
M^{r} Waller	1	of M^{r} Pyms
Richard Chandler John Chandler Richard Chandler J^{r}	5	Haberdashers of Small wares
Samuel Smith Minister	2	
Samuel Smith J^{r} nonconformist parson		only a pepper corn
Hugh Noden Tobaconist	1	
Humphrey Meverell Broker	1	
Rich^{d} Beacham Tobaconist	1	
Thom. Garford Solicitor	1	
— Meredith Tobaconist	1	
John Reeves Broker	1	
John Trott Nicholas Trott — Steevens — newly come into the Comp.	7	
	25	

16. At a Committee of Trade and Plantations, Whitehall, 29 Novem. 1684.

Their Lo^{ps} taking notice that the judgement for his Ma^{ty} against the Bermuda Company is actually entered, think fit that the Attorney General bee desired to order an exemplification thereof to bee forth with made out, and that it bee sent with His Ma^{tys} commission and Instr^{s} to the Governor of those Islands, as also that a Writ of Seizure bee Dispatcht thereupon.

This was done accordingly, and the document, or rather an unfinished copy of it, exists in good preservation; but the clerk whose duty it was to record it in Bermuda never completed his task.[1] Mr. John Harvey

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[1] See vol. i. p. xxv.

Darrell, as previously mentioned, translated it, and favoured the Editor with the following learned and interesting observations on it in June, 1873 :—

> It is a copy of what is technically called an 'Exemplification'—that is, an officially attested copy of the Record of a Judgment in the Court of King's Bench at Westminster in 1684 of the proceedings in the Quo Warranto under which the Charter of the Bermuda Company was declared to be forfeited to the Crown.
>
> I am not aware that this document has ever been printed, although it is referred to in the arguments of counsel in the great political case of the Quo Warranto against the City of London, reported in Shower's Reports of cases in that court, the decision in which was one of the proximate causes of the Revolution of 1688.
>
> It involved a very important constitutional question, *viz*: Whether on a conviction of alleged abuses committed by the members of a corporation, in their corporate capacity, the charter of the corporation should be extinguished, or only the corporators themselves punished, and their supposed abuses corrected? The pliant Judges about the end of the reign of Charles II. held the former doctrine; and the Government of the day, in furtherance of their political views for increasing the power and influence of the Crown, prosecuted a number of the smaller corporate bodies, whose privileges were seized into the hands of the King and fresh charters granted to them with such alterations as were deemed expedient.[1] At length they attacked the City of London. Chief Justice Pemberton, then presiding in the Court of King's Bench, entertained doubts. He was removed from office, and Sir Edmund Saunders (who had been counsel for the Crown in framing the proceedings against the City of London) was made Chief Justice in his place, and the Courts decided for the forfeiture of the City Charter to the Crown. But Parliament in the beginning of the reign of William and Mary declared the Judgment illegal and reversed the sentence.

17. At a meeting of the Committee for Trade and Plantations, 6 Decem. 1684, Petition No. 6, from the General Assembly of the Summers Islands, was read,

setting forth that a considerable part of those Islands being

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[1] It is sufficient to mention Canterbury, Colchester, Bedford, Buckingham, Exeter, Oxford, Plymouth, as examples. These and many other cities had their charters revoked and received new ones in 1684.—Ed.

CHAP. XVIII. 1683-1687. given by the Charter of the Company for the defraying the Publick charges the Compa have disposed of part of them to privat vses and lay Taxes and impositions vpon the goods of the Inhabitants without their consent and further complaining of great grievances and oppressions suffered by them from the Company wherevpon it is ordered that a copy of this Petition be delivered to the Earl of Nottingham.

His Lo^{p} being acquainted herewith made answer that he was not at all concerned in the matter of that Petition.

18. Deposition against Mr Henry Bishe.

Captain William Peniston made affidavit before the Governor 23 Decem. 1684, that some short time after the Assembly sat, M^{r} William Milborne came to his house in very great haste, and asked if he would be Governor, declaring that they were about to turn the Governor out. He told him that M^{r} Bishe a learned man in the Law had given his advice that the turning the Governor out would be no danger nor damage to any man, and that he would manage the affair according to Law.

[Captain Peniston prudently declined to have anything to do with the matter. The case was referred home.]

19. At a Meeting of the Committee of Privy Council, 16 December, 1684.

The Earl of Nottingham presents at the committee a schedule of the Debts of the late Bermuda Company amounting to £828 and it being proposed by some of the members of that company that eight shares of the publick lands in the Summer Islands may be alienated by His Majesty for the discharge of those debts, their Lo^{ps} will report to his Ma^{ty} that the consideration thereof be referred to the Lords Commiss^{rs} of the Treasury and in case it be thought that the Eight shares of Land bee disposed of for the discharge of those debts, that the Company may be answerable to His Ma^{ty} for the Overplus, and acquit His Ma^{ty} from all pretensions and demands whatsoever on the account of that Company, and their Lo^{ps} will likewise propose that the Taxes which were levied in the Summer Islands by the Company here before they were dissolved, bee continued for the support of the Government of those Islands.

20. The Report from the Treasury was presented 13th Jan. 168$\frac{4}{5}$.

Setting forth that as they cannot advise His Ma^{tie} to alienate any part of His Crown Lands which they find also to bee situate in that part of the country which is of the greatest importance to the security and defence thereof.[1] Soe for the removing all pretences they are of opinion that one third of all such Levys and Taxes vpon Tobacco or otherwise which shall bee hereafter imposed within those Islands bee appointed by His Ma^{t} to satisfy those debts proportionably till they shall be extinguished Provided the members of the late company or their Trustees do quit claim to all Publick Lands and to all the Guns negros and other estate belonging to that Comp^{a} and release His Ma^{ty} from all demands whatever relating to those Islands.

21. 20th Jan. $168\frac{4}{5}$.

A draught clause was agreed to for insertion in the Letter from the King to be sent to Colonel Coney directing him to take possession of the Guns, Negros, &c, and to account for them to His Ma^{ty}. [A Letter to this effect was delivered to Mr. Tucker on the 22nd Jan. There are occasional entries of the subsequent death of some of these negroes; thus Callibar (possibly Caliban, but if so, the only Shakspearian name found) departed this life on or about 20 March, $168\frac{6}{7}$.]

22. On the 23rd February $168\frac{4}{5}$.

A Letter was sent by way of Barbadoes directing Colonel Coney to proclaim the new King according to the Form inclosed, and to publish His Ma$^{ty's}$ Proclamation of the same date, which was also inclosed as follows.

Accession of James II. 6 February 1685.

A Proclamation for his Majestys Islands of the Bermudas or Summer Islands in America.

Whereas it hath pleased Almighty God to call to his mercy our late Sovereign Lord King Charles the Second of most blessed memory, by whose decease the Imperial crowns of England, Scotland, France, and Ireland, as also the supream Dominion and Sovereign right of *the Islands & Plantation of the Bermudas or summer Islands*, and all other his late Majesties Territories and Dominions in America, are Solely and Rightfully come to the High and Mighty Prince James Duke of York and Albany His Majesties only Brother and Heir. We therefore *The Governor and Councill with the Principall Officers and Inhabitants of the Islands & Plantation afore*

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[1] Namely St. George's Island and the vicinity of Castle Harbour. Portions of these lands still pay a quit rent to the Crown.

said Do now hereby with one full voice and consent of Tongue and heart publish and proclaim, That the high and might Prince James the Second, is now by the Death of our late Sovereign of happy memory become our onely Lawful, Lineal and rightful liege Lord James the Second By the grace of God King of England, Scotland, France, and Ireland, Defender of the Faith, Supream Lord of *the Islands and Plantation of Bermudas or Summer Islands* and all other his late Majesties Territories and Dominions in America &c To whom we do acknowledge all faith and constant obedience, with all hearty and humble Affection Beseeching God by whom kings do reign to bless the Royal King James the Second with long and happy years to reign over us.

God save King James the Second.

The whole is a printed form except the words in italics. The date of proclamation is not endorsed. (Colonial Papers, Bermudas, 33.)

23. On the same date, 23 Feb. 168$\frac{4}{5}$, is read a letter from Colonel Coney to the Earl of Nottingham, dated 21 Oct., describing an outrage committed against him at St. George's.

24. At the Committee of Trade and Plantations, 23 Feb. 168$\frac{4}{5}$, the Earl of Sunderland delivers the subjoined paper of Articles against M^r^ Rich^d^ Coney, Gov^r^ of the Bermudas.

To the Kings most excellent Majesty.

Artickels of complaint, and other High Misdemeanors Humbly offered against Richard Cony Esq^re^ Deputy Govo^r^ &c [not dated, 1684].

Sheweth.

(1) That after the arrival of the said Cony in the Islands aforesaid which hapned the 29th Day of January 168$\frac{3}{4}$ Certaine Articles sent ouer to be presented to yo^r^ Ma^ty^ by William Righton against Henry Deareham the pretended Deputy Governor, were shewed the said Cony, wherein the said Deareham was charged amongst many other Malitious and Treasonable expressions against yo^r^ Ma^ty^ to have said in the Judgement Hall, in the full Assembly of the People, That if ever his Ma^ty^ came to governe the Bermuda by Officers, nothing was to be expected but loss of their Landes, Poperey, and voyolence, And

that if the Company were broken the Inhabitants goods and properties should be taken from them, in spite of their Teethes, without any Redress, because yo^{r} Ma^{ty} would hear nothing against yo^{r} Officers nor doe them any justice in such cases vrging that yo^{r} Ma^{tys} Governm^{t} was accompanied with horrid Blasphemies and continuall Prophanes & that if the Company was broken, and that the people submitted to yo^{r} Ma^{ty}, they would be bought and sould, and perhaps see 30 or 40 Frigotts ly in their Harbours to Devoure them. Addinge in further contempt of yo^{r} Sackred Ma^{ty} that they would be lykewise then forced to church with a Drum and Fiddell, Which articles aforesd being shown to and perused by the said Richard Cony he swore by God that the said Deareham had said nothing but the Truth.

(2) That whereas certaine Lawes have been longe since constituted for the better Government of the negroe slaves, without the due execution of which yo^{r} Ma^{tys} Christian subiectes would be in continuall Danger. He for his owne private Proffitt openly declares them as good subiects as the Assembly men Saying that the Company and the Assembly were too sausey in makeing orders to restrayne their Insolencies.

(3) That pursuant to the said opinion he with his owne personall power and hands tooke from one Joseph Milbourne a negro slave after 12 yeares possession and converted him to his owne vse, Denying the said Milbourne a Replevie according to Law. As likewise from one Ellinge Burrowes another, which had been transferred by assignment twice or thrice without any pretence thereto more than the slaues bare Allegation.

(4) That contrary to yo^{r} Ma^{tys} Royall Intention and practice for Governm^{t} of all yo^{r} Plantations with free liberty in points of Religion, he hath invented, by his own authority imposes, a new sort of oathes of allegiance and supremacy not expressed in the Statutes for yo^{r} Ma^{tys} service But mearely to insnare people, and to force them to submit by Imprisonment to his will and pleasure, persuant to which he comitted one Thomas Tibby a Quaker to the Marshall for refusing them: tho he only cam to these Islands to receive som Debtes. And a person who only desired of him that the oathes might be explained accordinge to yo^{r} Ma^{tys} Lawes, he comitted likewise to the Marshallsis.

(5) That the said Cony declares he hath yo^{r} Mat^{ies} Royall Commission, and is in such favour that he may doe what he pleases, tho' the Company faile, and persuant therevnto contrary to your Ma^{ties} Lawes gratious Governm^{t} ouer all yo^{r} people, doth at his owne will and pleasure exact new and vnprecidented Impositions and fees, as fiue shillings for a Bond he

forces without Law each master of a ship that arrives there to give before he suffers him to depart, and upon every passenger two shillings, not sparing one John Galls a Frenchman, whoe by shipwreck lost all he had, nor suffering him to depart till he had paid the said Five shillings soe illegally imposed.

(6) That the said Cony by his owne will and pleasure granted an illegal warrant for seizing the goods of one John Stowe and comitted him to Prison for not obeying it.

(7) That whereas by ancient constitution and custome each ship arriving in the said Island is to deliver one Pound of Powder pr Tunn according to her burden, or the value, for the defence of those Islands, he the said Cony receives money for the same and convertes it to his owne vse.

(8) That without leave the said Cony forces all Publique howses to take Lycences, exacting to himselfe Five shillings, the marshall Twenty shillings, besides the secretaries ffee which is Two shillings six-pence.

(9) That lykewise in his Drunken Deboshes which are very frequent, he sweres, curses & oftymes strikes civill men attending him vpon their necessary and Lawfull occasions, without the least provocation on their parts, as particularly William Milbourne whome he allmost struck downe, committing both him and one Henry Bish, and in his fury made a mittimus to send them both for England without expressing therein any cause.[1] Commanding his Guardes to hale them on board the Magazine or Companies ship, denying to express the cause for which the master thereof refused to receive or convey them thence to Banishment. Another tyme without the least vnciuill Language given he beate a certaine master of a ship attending him for his clearing. The truth of all which will be made to appeare to yo^{r} Ma^{ty} by your Dutifull subiects.

(Signed) William Milbourne
Will. Righton.

25. Their Lordships upon this agreed, 25 Feb. 168$\frac{4}{5}$, to advise that depositions on the subject of these charges be taken by some of the Council or Justices of the Peace in the Bermudas

and that nor restriction or discouragement bee put vpon the taking and transmitting of all necessary proofs and records which are to bee attested by the proper officers . . . . and that the Commanders of His Majestys ships which shall in a reasonable time pass that way bee ordered to call at the Bermudas and to enquire into the condition thereof, and during their stay there, to give all the assistance they can to the Government for the security of those Islands, whereof an account may be transmitted to His Ma^{ty} for His further directions.

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[1] It appears as a fact that Bishe was sent to England (see p. 549). But Coney's replies to all this (pp. 553–561) must be read.

Orders to this effect were accordingly forwarded by M^{r} Nathaniel Sanders Commander of the Globe to Sir W^{m} Stapleton Commander in Chief of the Leeward Islands: and the persecuted Governor reported not long after, that it was only through the protection of Captain Sharp with his men and Captain Conway Commander of the Prosperous, that he escaped being brought to trial by the Inhabitants upon the articles exhibited by them to His Majesty.[1]

26. 3 March, 168$\frac{4}{5}$. Colonel Coney was directed to send over a list of persons fit to serve as members of the Council there, and meantime to make provisional appointments.

27. 14 May, 1685 (1 Jac. II.) A letter in accordance with the recommendations of the Council in February was addressed to Col. Coney.

28. Letter from Col. Cony to the Committee.

Bermudas als Som̄er Islands June y^{e} 4th 1685.

My Lords,

(1) I humbly certify to your Lo^{ps} that by Capt John Bee Commander of the Bermuda-Magazine I rec^{d} the great honor of His late Ma$^{ty's}$ Royal Letters and Commission to bee Gov^{r} of these His Ma$^{ty's}$ Islands. According to my Instructions in His Mat$^{y's}$ letters I have seized vpon all the great Guns for His Ma$^{ty's}$ vse. As to the small Arms they are in the hands of the Militia, vntil they can provide their own, the which I am apt to beleeve they will not for they have in part declared as much. As to the Slaves which I had in my Possession at my first coming to this Country, they still remain in my custody. But as to the Colonys Slaves born in privat mens houses of their females, when let out for term of years, noe man will well part with them. And these are the positive words of His Ma$^{ty's}$ Council here, If His Ma^{ty} will have them, let him take his course at Law; they were born in our houses and Wee will keep them. Now, my Lords, the people have a custom here among themselves that if one Neighbor's Slave marrieth with another

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[1] Colonel Coney to the Committee of Trade and Plantations, April 1, 1686. 'Colonial Entry Book,' vol. cviii. p. 274.

Neighbor's Slave, the children are to bee divided betwixt them. But that this custom should extend to the Colonys Slaves in my opinion was a great injury to the former Government and is now to His Ma^{ty}: for I verily beleeve the Company had in this nature to the value of four or five hundred pounds if they could bee fully discovered.

(2) As to the Customs on Tobacco they are soe farr from being willing to pay it, that they privatly convey it in their own bottoms to other parts, as New England, Barbados &c pretending that from those parts it shall bee transported for Old England And if it must pay Custom (say the people) let it pay there. And the better to palliate the discovery they stow it in Cask lined with ffish. By Capt Phipps Commander of the Rose frigat I have sent one baril of the two (the Searcher found) for demonstration of their ingenuity. But none of this Tobacco at the long run comes to the King's Custom-house in London or elsewhere, but from the abovenamed Ports in the night handed into other Bottoms and transported into divers forreign Countrys. As yet vntil I can call an Assembly, the which I forbear to doe vntil my further Instructions come, I only desire them to bring their Vessels vnder my command, and make a due Entry of what they ship off and import, in the Secretarys Office that hereafter Custom may bee paid for them: but they refuse to come vnder my Command to bee searched, saying it is an oppression to the subject. And those few that doe come vnder my Command when 6, or 7 leagues at Sea, they lye off vntil great Boats come and bring the Tobacco to them. This was their frequent defrauds in the Companys time. By report these Islands annualy make betwixt four and five thousand weight.

(3) As touching the King's Lands, I have several times moved y^{e} Council forthwith to give mee an account, viz, a particular account of those lands; the present Tenants names; on what pretence they hold them and their due value; what may bee the perquisits of the Provost Marshal, and out of what they arise, likewise of other Officers that His Ma^{ty} may know whether their perquisits bee sufficient for their places, which if they bee, then if His Ma^{ty} soe please the Lands they now hold by their places may bee imployed to some other publick vse to ease the Country, repairing the Castle and Forts, building fforts where necessary, providing Ammunition &c to secure the Country from privat or publick Enemys, which, beleeve it my Lords, is very needfull and to make it again to flourish; for their long contentions have brought it into a declining condition. Here is about thirty Sail of trading vessels and their Owners are wealthy and the most contentious yet pretend

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poverty, ever thwarting Government and enslaving the meaner sort of people who would gladly live vnder Government. Timber is wholy destroy'd what with building Vessels and then selling them to Forreigners, with other sort of Wooden wares. And when I prohibit it then they cry out, What are you sent hither to enslave vs? Wee are free-born-people, our Lands are our own, and wee will doe with our own what wee please, And if wee doe not like of the King's Government wee can desert the Country and live better elsewhere. The Comp^{a} was a Comp^{a} of Rascals and thought to have brought vs vnder their Cōmand, but now wee find wee are in a way to bee perfectly enslaved and ruined. This is their frequent discourse to mee, for they esteem all Government to bee Slavery but what is of their own establishing, and are now aiming to choose one Thomas Richards to bee their Governor.

(4) Here hath been killed this year about fourteen Whales. I have often moved the Sherif to give mee an account what Oyle is made, but noe acco^{t} given mee. The people here are soe near allyed, they will not disturb each other in any matter that concerns His Ma$^{ty's}$ Interest. A large Whale is worth £80 all charges born. By this your Lo^{ps} may judge how considerable that Royalty is. The people claims it as their property belonging to their purchased lands.

(5) My Lords, I am much wanting of Powder and round shot for the Castle and Forts, insomuch that I was forced to desire Capt Phipps to spare mee what hee could, which was but one baril and 50 round shot, for which hee hath a Receipt. I have mounted 18 great Guns which, for many years, have layn in dirt & vnder water, and the cleaning of them, with other vnavoidable contingences, hath caused the expence of Powder, likewise the frequent false allarms I have given mee by the Inhabitants without cause or knowledge of the persons that raise them. I have expended betwixt fourteen and fifteen pounds ready money in mounting the aforesaid Guns, but the Country denys to reimburse mee, most of them affirming, since it was not done by their consents, they will not repay one peny. I am certain they are now in a fit posture to serve His Ma^{ty} in the defence of this his Country. Although M^{r} Bish and M^{r} Samuel Trott did dayly affirm to my self and the Workmen that it was Treason to mount the Guns or raise any Fortifications, which made all the Workmen to desist, and y^{e} intended platforms lye half finished. It would have been a strong defence to y^{e} town of S^{t} George's in case an enemy had passed the two Forts, which are but a mile distant from the Town.

(6) My Lords I have presumed to send home the said M^{r} Bish, it is likewise his own desire. Hee hath been a great

Incendiary in this Country and still is notwithstanding His Majesty's Commission, Should hee continue here, it would bee impossible to keep quiet. From the first day of his landing hee hath made such disturbances that I can safely affirm I have not enjoyed two days of repose to this instant. I have, with much trouble, kept him in prison several months and moved to it both by my Council and many of the Country, yet hee hath been as frequently resorted vnto by my Council and the Country even those that have evidenced against him as when at liberty.

(7) The people have seized vpon a small French Vessel that came vpon the Rocks, brought her into Harbor, took away her goods, would not permit her to come vnder my Command, but permitted her Seamen to range our Chanels; disarmed the Soldiers I sent to bring her vnder my Command, and lastly piloted her out to Sea to steer what course shee pleased. Shee left one Frenchman on shore whom I have sent to England by Capt Phipps in order to his examination before your Lo^{ps}. The man tells mee hee is fearful to confess the truth here, least the Inhabitants should do him injury. Likewise with him those papers concerned. I conceive Capt Phipps expects to be paid for his passage.

(8) Here lately arrived one Capt Henly a Privateer in a Dutch Bottom and, as it is reported, landed about three or four thousand pounds of Dutch Goods. Hee was piloted into harbor by one Zacharia Burrows, but the Country would not permit his Ship to come vnder my cōmand, yet Henly I did lay hold on and Imprisoned, but the Country forced mee to let him at liberty; nay even my Council and the Captains of y^{e} Militia all protesting they would bring y^{e} Vessel vnder my Command, yet would not; but after they had bought her goods they victualed her and sent her away, notwithstanding my Pilot was on bord her to bring her down to mee. Neither would the Sherif lay his Broad Arrow vpon the goods that hee landed that an account might bee given to His Ma^{ty} in case the Dutch should redemand them. Since I am informed that the said Henly is proclaimed Pirat at Jamaica and one Goffe his companion in New England. This Henly had his Commission from Cōll Lilborn Gov^{r} of Providence, a copie of which is enclosed. Capt Phipps will give yo^{r} Lo^{ps} a full relation. To make this Country the refuge of Pirats is the intention of the people. Two more of these Pirats I dayly expect by the relation of Henly to mee when hee came before mee, and dayly dread the taking or plundering of the Country, for none here love their Arms or will oppose any but Government.

(9) The discontented party at his Ma$^{ty's}$ Commission are

old William Righton, W^m^ Peniston, Richard Stafford, George Bascom, Tho: Owterbridge, Tho: Richards, besides those that lurk silently; for all expected that after the Company was dissolved his Ma^ty^ would have left them to their own Election of Governor & Governm^t^. My Lords, according to my Instructions, in my last pacquet by way of Barbados, I have to the best of my power performed the Solemnitys and ceremonys due to that mournful occasion, and joyfully of His Ma^ty's^ Peaceable Accession to the Crown, I most humbly and in all duty acknowledge the great honor His Ma^ty^ is most graciously pleased to shew mee in continuing his late Ma^ty's^ Commission to mee. I pray God preserve his Ma^ty^ in a long and prosperous Reign, and enable mee to doe His Ma^ty^ all loyal and faithfull Service, the w^ch^, My Lords, be pleased to beleeve I shall ever endeavor.

(10) I received in my last packet a letter with his Superscription, To the first Clergyman in Bermudas, By the Seal I suppose it came from my Lord Bishop of London. I have tendered this letter to the Clergy, as yet none of them will receive it. One old W^m^ Reighton said it belong'd to him for hee was the first Teacher in Bermudas, the letter is still by mee. None of His Majesty's Affairs here move forward; Many Articles I suppose sent to your Lo^ps^ against mee, continualy quarrelling with mee, dayly in danger of my life; yet I have not wronged any man of a farthing. Bribes I never took, thô Henly and the Country offered mee some hundreds of pounds, asking mee if a good summ of money would doe mee any harm. The offence they take against mee is because I comply with my Duty, stand for His Majesty's Interest and not connive at defrauds. They say they must and will bee heard of his Ma^ty^, and hee must doe them Justice according to his Sacred Oath at his Coronation. Likewise his Privy Council as they are bound to doe. In this manner time is consumed, nothing done but Rayling against my Commission and Government, Contrary to my Commission, whom they please must sitt in Council with mee, and this from the Council themselves who would impose Oaths vpon mee, but what those Oaths are I know not. They would keep my Forts without Commission from mee, The Magazine they would command. I must not imprison any man without the consent of my Council. And it is they that are to govern, and my self to subscribe to what they shall Order. All would live vpon the Publick Lands, but neither pay for them nor doe any Duty at y^e^ Town or Forts.

(11) Much discontent among the Clergy that His Ma^ty^ hath not confirmed them in their Lands and forty pounds per annum; likewise at variance among themselves who hath been the cause of it. M^r^ Bond and M^r^ Vaughan are much blamed.

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(12) My Lords, by all opportunities I shall not fail to inform yo^{r} Lo^{ps} of y^{e} deport^{t} of these people to Government,

My Lords, I am in all duty,
Your Lo^{ps} most humble most obedient servant

RICHARD CONY.

29. At the Committee of Trade and Plantations, 25 July, 1685.

(1) Captain Phips commander of His Majesty's ffrigat the Rose attending with M^{r} Henry Bish sent home in custody with one Sarah Oxford on board the Rose ffrigat from the Bermudas by a warrant from Colonel Coney It is ordered that M^{r} Bish give Bail before one of His Ma^{tys} Judges for his appearance.

(2) 26 August 1685 Mistress Coney and M^{r} Bish attended and both parties were heard.

(3) 9 September 1684 M^{r} Bish M^{rs} Coney and Sarah Oxford attending are called in, and several papers and depositions transmitted by Colonel Coney read.

(4) Bish meanwhile was not idle but on the 27 Septem. 1685 exhibited articles against Coney.

1. In taking illegal Fees for Sea briefs & other things.
2. Permitting Langham the Interloper to bring in negros and taking a present from him.
3. Wrongfully seizing 2 slaves one of them Milbornes.
4. Illegally issuing Liquor licences.
5. He killed a poor widdows fowls . . . . he killed a poor widdows Hog without cause He imprisoned a poor woman because her Hog eat his pumpkin.
6. He committed Tho. Burrows and released him for half a crown.
7. Illegal arrests, and taking ten shillings to release one Argent.
8. He compelled Householders and widdows to work on the Fortifications.
9. He caused the Guns to be fired at a small sloop which went but cross the Harbor, and made the master pay 1 5*s.*
10. Levying money to mount Guns before he had received the kings commission.
11. Assuming the title of 'Excellency.'
12. Severe proceedings against salvors of a French ketch.
13. He causes the Sword, with the Companies Arms, to be carried before him after he received the kings commission.

14. He discourages the old cavaliers, and favors such as fought against the king. . . . .
15. He assumes Ecclesiastical Iurisdiction as to granting Probates of Wills, administrations, and Licences to marry. Obliging Midwives to take Oaths, and Schoolmasters to take Licences.

(5) These charges are answered with vigour by Mistress Coney, who appears to have remained in England to defend her husband's interest in the matter of the French ketch. She declares it was a French Pirate. The Governor sent to seize the ship, but the Inhabitants beat off the Soldiers, carried off the goods, and sent the ship away.

(6) Their Lordships in reporting on the subject found Colonel Coney faulty in the directions he gave to the Commander of the vessel that brought Bish and Sarah Oxford over and directed their discharge from bail. Upon the whole matter they humbly represented the great Disorder the Government of Bermuda was in, which required signification of His Majesty's pleasure for the settlement of it, but apparently dismiss the complaint.

(7) Upon a further hearing of Colonel Coney's Agent and Bish 27 Oct. 1685 The Lords agreed to report their opinion that His Ma^{ty} would be pleased to name another to be Governor of those Islands, which however they so far qualified on 16 January as to offer their opinion that he might continue in the Govern^{t} vntil further orders.

There are long depositions recorded in Bermuda relating to many of these charges. Coney was furnished with a copy of them, viâ Barbadoes, in October, 1685, and his reply will be found in a letter dated 3rd January, 168$\frac{5}{6}$.[1]

30. Colonel Coney to the Lords of the Council, No. 2.

Bermudas als Somers Islands October the 8^{t} 1685.

My Lords,

(1) Since the departure for England of Capt Phipps Commander of the Rose ffrigat I have given yo^{r} Lo^{ps} an acco^{t} of the transactions in these Islands by several opportunitys. As by the way of Barbados, Jamaica, New England, but much fear they have not come to yo^{r} Lo^{ps} hands, by reason I sent them by Inhabitants of this Country to bee conveyed from these parts to

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[1] 'Colonial Papers,' vol. cviii. p. 209, and vol. xvii. p. 185; and see p. 560.

yor Lop and thô I have vsed all imaginable care, yet find my letters have miscarried.

This Country, my Lords, hath a long time stood in a tottering condition and now is near fal'n to ruin by ye dayly designs of ye old discontented party, as Wm Righton, Samuel Trot, Richd Stafford, Wm Peniston, Anthony White &c who are soe enraged that His Maty hath not left ye Country to their Governmt that they not only slight His late Maty's Com̄ission, but disown any power I now have here, affirming my Commission is invalid, though confirmed by His Majesty's Proclamation in these Islands. Insomuch that they say, there is noe Govr, therefore noe Law, euery man may doe what hee pleaseth. My Warrts are disobeyed; prisoners break out of prison in meer contempt Drumms beat vp by Capt Anthony Wite to assemble the Country to draw vp Articles against mee, and when assembled Richard Stafford propounded to them that there was two men in the Country either of them that would serve the Country as Govr without putting the People to a peny charge. But the great number then assembled did not approve of his proposition, well knowing that hee aimed at the Government himself and had done several years, soe durst not trust him with that charge. Next they fell to drawing up these enclosed Articles against mee; they being finished, their next business was to get Subscribers, for many of that Assembly, when they had considered ye Ar̄les, deserted their company; the number assembled was about 70; or 80 persons. Then Sam: Trott and Joseph Milborn (brother to Wm Milborn the fifth-Monarchist) rid about ye Country to get Subscribers, but to very few would let bee seen what they were or had subscribed to, only saying it was something for the good of the Country and, according to their custom against the late Compa, they quickly got hands enough, saying surely His Maty will give credit to soe many men before one Governor. Wee know hee loves a Bermudian at his heart witness his breaking (for soe they term it) the Compa.

Their next diligence was to raise mony for Mr Sam: Trott & Wm Peniston's charges to England with these Articles and to sollicit for a new Govr, being confident that one Mr Burghil and Mr John Tucker would assist them. I verily beleeve Mr John Tucker would scorn to own them & that their arrears to Mr Burghil should bee paid. As they had procured a great number of hands to a petition and Articles against mee; so a great number of Subscribers to the summ of mony to be raised to carry on the work (for soe they are pleased to call it) the summ demanded was five hundred pounds, that being thought too much they requested Mr Trott to accept of less, the which hee was willing to doe rather than the Cause should fall, but positively told them hee would not abate them one single groat of Three hundred pounds; for vnder that summ hee could not put himself in an equipage to appear at Court, for hee must have every day a new suit.

At the day appointed for the receiving of this three hundred pounds the Company met and fell at variance among themselves, some disputing Mr Trott's honesty as not to bee intrusted with such a summ; others affirming that what hee wanted of honesty hee would make vp by his industry, for all knew him several years to bee an active person and fitt to carry on a design. In th'end they concluded to send him without Wm Peniston. They had subscribed to five pounds a man, but when the business came to a Deposit of mony, they fell from five pound to five shillings a man. Whereupon one of the Compa told them he would not contribute a farthing toward such an idle errand, whereupon every man departed to his house for a further consideration.

Since, Richard Stafford, finding the liberal contrivers to grow cold when it came to the matter of mony, at another meeting, generously told them hee would bee at the charges himself; for hee knew that for Twenty pounds Mr John Tucker would not only deliver their Petition and Articles, but likewise endeavor that a new Govr may bee sent them; and out of his own pocket freely profered five shillings to the Secretary to write a fair copie of ye Articles and subscribe to them. Hee replyd hee had refused Mr Trott and Wm Peniston and would not meddle farther than what concernd him. These Articles they never shewd mee that I might make defence for my self; soe that the inclosed was privatly procur'd mee by a friend; and God willing I shall reply to every one of them by Capt Bee Cōmander of the Magazine Ship, whom I much fear they will not load out of malice to the late Compa to whom they are much indebted, and that they may find opportunity to convey their Tobacco privatly, thereby to defraud His Maty of his Customs, the which they frequently doe, though I take all the care I can to prevent it. By the Judgment of several persons at least one hundred thousand weight hath privatly been transported to Barbados and other parts this Spring and then stowd aboard Ships bound for several Countrys, the which was ever their old Trade and now are vnwilling to bee deprived of it.

Not any Officer, Counselor or other person that appears for Government, but are threatened and in danger of their lives as well as myself and my servants frequently beaten. But few will bring their vessels vnder my command to bee searched and

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those that doe, when five or six leagues at sea, lye off for the Country boats to bring them Tobacco.

(2) Of the twelve Counselors I have chosen since his late Ma^ty's Commission there is but four of them that have any regard to His Ma^ty's Interest: and those four are afraid to speak their minds freely for offending the rest, or to bee seen with mee about any Publick affair, neither can they devise mee what others to choos. Capt. Keele and Capt. Bascom Commanders of two fforts in the Comp^a's time for which they enjoyed two shares of Land. Since my Commission from His late Ma^ty they never would receive Commission from mee but tell mee they will command them by virtue of the company's Comission. They live not at the fforts as they should to look after their duty, nor never did, but 15 or 16 miles from them, seldom visiting them but reaping the benefit. Insomuch that at all hours in the night shipps have past betwixt the two Forts and anchored within a stonescast of my chamber window. Thus may an enemy surprize vs as Providence was twice the last year and likewise two months since.

The said Keel and Bascom were of the Council, and to my face affirm they will bee of the Council & have as much power to bee of the Council as my self, notwithstanding my Commission. One Lee another of the Council joyns with these mal-contents, likewise all y^e Council excepting four. At this Lee's house and Anthony White's they frequently met and still doe meet. When I enquire of y^e Council after His Majesty's Slaves and Crown Lands they will not endure to hear it; but tell mee I must first take an Oath, but what the Oath is I know not, nor whom here hath power to give mee an Oath. The Oath of Supremacy and Allegiance of my self I first took before the Council as an ensample to the Rest, but several of them refused it; their reason they said was, because I refused to take an Oath from them.

(3) About ten days since I imprisoned a Constable duly elected by his parish for refusing to doe his Office or longer to serve, and comparing Justice Tucker (who likewise is one of the Council) to a Hogg and a Negro. Several of the Country came down to the prison and carried off the prisoner. When any of His Ma^ty's subjects turn to these Islands they are grosly affronted and abused, endeavoring what they can to seduce their men from them to serve them in their own voyages and disenable the others. M^r Bond and M^r Vaughan are much disgusted that their two shares of land each of them are taken from them, and y^e £40 p ann formerly teach of them allowed by y^e Comp. These two Ministers doe ill offices in y^e Country M^r Vaughan at my first coming into this Country profest himself of the

Church of England & as hee told mee went into Engld to take Orders: but Mr Bond over-ruled him, and now both of them Enemys to the Church of Engld & to Governmt, which gives the Quakers occasion to call them Hirelings.

(4) The Depty Sherif Capt. Hubbard takes upon him to dispose of the Crown lands how & to whom hee pleaseth, nay even to dispossess old Tenants, & whom I had lately placed therein, with good security for the rest, notwithstanding His late Maty's command to mee under his Royal Hand & Seal, wherein I am to take possession & render His Maty an accot, ye which hee saith hee will doe by vertue of his Commission. I know hee followeth the advice of Richard Stafford and his Son in law Mr Vaughan, without those hee will not act any thing. As hee is Provost Marshal I direct my Warrants to him. Mine hee lays aside & sends his own Warrants even to com̄and ye Justice & others to appear before him. Hee likewise takes vpon him to be Treasurer & writes positive order that publick mony bee paid into him; And for former monys hee collected in the Compas time hee never would come to a just accot, to ye great disgust of ye Inhabitants. What ready mony hee then received hee kept to himself & put off ye Soldiers at ye Castle with his own vnvendable Tobacco & at his own rates & contingent expences still vnpaid; soe that noe man will stirr about any Publick occasion such as Boatmen, Armorer, Carpenters &c if they bee ordered to receive their pay of the sheriff.

(5) Since my coming into this Country I have disbursed near twenty pounds ready money for mounting of Guns for the defence of the Town where is the Magazines & Records, & for Tarr for the Castle-Guns & their Carriages; likewise for ye fforts, yet much is wanting as to Repares &c, for many years they have been neglected and would have fallen to ruin, had I not taken a little care, but far short of what I would have done had not the Country rudely opposed mee, Mr Bish & Mr Sam: Trott declaring it to bee Treason for any man to assist mee either in Mounting Guns, repairing, or fortifying, yet all out of my own purse, noe tax laid vpon the Country; nor doe I doubt but His Maty will see mee re-imburst, I know the Country will not, they have declared as much, saying, let them that imployd mee reimburse mee; their Country stands in noe need of Guns, it is fortified by Rocks, and God hath preserved it these 80 years. I was vnwilling the Country should bee surprized, having Guns, thô under dirt and water. I conceived it to bee my duty to doe my vtmost towards the preservation of His Maty's Colony.

(6) Powder & Shot for the Great Guns both at Castle, Town, & fforts I much want; Shot from 5 prs. to 8 prs.; from 8 prs. to 12 prs. There is not a peny stock to buy nor likely to bee at

the rate y^{e} Country drives at. Both Slaves & Crown-lands lye concealed, nor will the Council or people endure to hear y^{e} mention of enquiring into them. I heartily wish His Ma^{ty} would please to send over some able Lawyer to sit as Judge & two more to plead the Country's Causes. They may doe great service to His Ma^{ty} & the Country.

(7) There is but a small number of small Arms in the Country and most of them vnfixt. The Comp^{a} furnisht them sufficiently, but some they have sold to other Colonys, and others converted into pestles to beat their Corn. The Militia will not furnish themselves either with arms or Ammunition. They tell mee the King ought to furnish them, for they have not mony to buy, yet these are landed men, rich both in purse & shipping.

(8) I humbly conceive that a special Order from his Ma^{ty} that noe vessel shall presume to load or vnload but in St. George's Harbor which is before my door & at y^{e} Muzzle of my late planted guns, will much prevent their privat transporting Tobacco: for then my eye sees what passeth. If they load & vnload in the Castle-harbor or elsewhere, they are out of my sight or command.

(9) My Lords I humbly offer to your Lo^{ps}, if His Ma^{ty} soe pleaseth, That both Dep^{ty} Sheriff, Dep^{ty} Marshal & Dep^{ty} Sec^{ry} may bee Englishmen purposely sent out of Engl^{d} and such as both know & will doe their Duty: for English Officers here are one and the same with y^{e} Inhabitants, having married into their ffamilys. They may live well by their places.

(10) I humbly desire to know whether His Ma^{ty} will please to allow y^{e} Land & number of Slaves to y^{e} Dep^{ty} Sheriff, Dep^{ty} Secr^{y}, & Dep^{ty} Provost Marshal that the late Comp^{a} did, w^{ch} is two shares to each Officer. The number of Slaves to each I think is six a peece. The Deputy Sheriff, as I am informd hath several. His son in law M^{r} Vaughan hath three, the which hee keeps and will keep, because hee preacheth: but will not conform to the Church of England. I meddle not with any person concerning Religion, nor ever did, I have noe Orders for it.

(11) My Lords, I humbly offer, that if every Freeholder (as they term themselves) both in Town and Country doe pay a small quit-rent, according to the proportion they hold, it may bee one means to reduce them to obedience. What Slaves I can possibly get that belong to His Ma^{ty}, if sold would help to reimburse the £828 His Ma^{ty} stands engaged for the late Comp$^{a's}$ Debts; vnless sold, I know not what Service they can doe His Ma^{ty}, saving a reasonable number for the vse of the succeeding Governors, if His Ma^{ty} shall please to allow them any.

(12) As yet I have not heard from the late Comp^{a} The late

Secr^{ys} have let fall to ruin the house in the Town that belongs to y^{e} Secretarys to live in; soe that y^{e} present Secr^{y} lives near twenty miles from mee which causeth that many times his duty lyeth vpon mee, or the Country business must bee neglected. My Lords, I humbly conceive it reason that the late Secr$^{y's}$ should repair y^{e} said house, and not His Ma^{ty}; for they have made that Office considerable to them. Without order from His Ma^{ty} they will not do it. The House I dwell in is falling down ever since I came to this Country, at every great storm my self & ffamily are forc't to take refuge at some Neighbor's house, and at every ordinary rain to fly from room to room for shelter. The Prison is much out of Repair, likewise the Court of Guard-Sessions-house where the Magazine and Records are kept, Castle and Forts. The Country saith let them that own them, repair them.

(13) Lieutenant Jones Lieutenant of His Ma$^{ty's}$ Castle, and Captain Brangman Capt of one of the fforts, have faithfully stood by His Majestys Interest & Governm^{t} & still doe w^{ch} much aws the Country's Insolency; they are of the Council and have taken their Commissions from mee. Keel and Bascom refused, althô I went to their fforts to deliver them Commissions vpon the receipt of my own Commission. I hope His Ma^{ty} will graciously please to continue the two former Commanders in their Command, if they fail not of their Duty.

(14) My Lords, I am much indisposed by the Colds I take in an vnhabitable house, and my indisposition augmented by the frequent affronts and abuses given mee by the Sheriff, Mr. Vaughan Minister of the parish, W^{m} Peniston & the rest of that ffaction, that I enjoy not one moment of quiet. They tell mee I might live at ease among them, would I bee ruled by them, which if I should, I must wholy decline His Ma$^{ty's}$ Interest, which by God's help I never will. I humbly beseech your Lo^{ps} to pardon my not enlarging at present, thô every day creates new matter, and permit mee to subscribe, as bound in duty, My Lords,

Yo^{r} Lo^{ps} most humble, gratefull & obedient Servant

RICH^{D} CONY.

October 8, 1685.

This Pacquet cometh by Capt Potter Com̄and^{r} of y^{e} Pink John & Samuel.

31. The latter part of a letter to ye Committee from Coll Coney; The former part being a Duplicat of one from him dated the 8th of Oct. 1685.

Bermudas als Sum̄er Islands
January ye 3d 168$\frac{5}{6}$.

Rt Honble

(1) Octobr last ye Depty Sheriff came to mee bringing with him Mr Peniston, Copeland Lea, Geo: Bascom, Wm Keel, Lawrence Dill & Tho: Outerbridge, to pmit ye country to send their Tobacco to Barbados or elsewhere to buy Arms & Ammunition for ye Militia to defend the Country, for they had not mony wherewith to buy: And yt in the meantime I would furnish them out of the Magazine althô they had privatly supplyed themselves from Barbados or Jamaica. Then the Sheriff & ye rest of them demanded of mee ye key of the Magazine & ye great guns before my door, saying they were bought with the countreys mony & belongd not to mee nor any but themselves. I doe assure yor Lops ye country did not buy them, nor have any right to them, they belonging to shipwrecks many years since. Then ye Sheriff & ye rest affirmed yt ye trust of ye Magazine was in himself & not in mee. Next hee declared that the trust of Treasurer was likewise in himself, & that I ought not to choos any for that Office, whereupon hee produced a paper & read it; saying, by vertue of yt paper & his Com̄ission, hee was impowred to dispose of ye Crown-lands & of all His Mat'ys concerns here, as Magazins or Revenues. After several contests, hee and the rest of the Company departed. About two hours after all of them, except ye Sherif, returnd. What past betwixt them & my self is here inclosed. It hapned to bee at that Juncture of time when news was brought to Bermudas of a great Army ye Duke of Monmouth & ye Earl of Argile had raised against His Maty & yt his Mat'ys fforces were defeated. Strange whispering went about ye Country, as that Now was the time, or never; The Right of the Crown was in the Duke of Monmouth; and that hee was noe Papist; that ye Protestant Religion now profest in England was Popery; and that the Pope was the Whore of Babilon and drunk with the bloud of ye Saints. With much more & such like stuff. Soe that I dispatcht strict orders to all ye Officers & Magistrats to keep a strict guard least there should bee a Rising: for in Cromwell's time they were at that Game, & one of ye principal was Richard Stafford.

(2) The Sherif Bascom & Lea disposed of two shares of Crown-land to Mr ffowls an Independant-Minister & Mr.

Vaughan for their preaching, but I have ordered y^e^ contrary; that my orders at present will bee obeyed I much question. As the Sherif is related to many in y^e^ Island, soe his privat freinds, & at his freindly rates shall bee saved, still himself a privat Gainer.

(3) M^r^ Bond is a secret enemy to the quiet of this country; What to doe with him I know not; in vain to imprison him, hee hath the turbulent spirits of the Country for his freinds. I dayly wish for further Orders from His Ma^ty^ & hope for a Redress. In y^e^ mean time I am constrained to be passive, least a meeting in y^e^ country. Doubtless they intended to have seized the fforts & great guns in y^e^ Town and y^e^ Magazine, had not sudden news came of y^e^ Duke & Earl's Imprisonment. And I am of belief that M^r^ Bond & M^r^ Vaughan had some foreknowledge of these late troubles in England, which made them not conform but hope for better advantages. When I landed here, M^r^ Vaughan profest himself of the Church of England to mee & accordingly read Divine Service. Before I came hee did not; but told mee his conscience pswaded him to conform & desired mee to encourage his Reading the Common Prayer. Hee would not give the Sacrament by reason hee was not in Holy Orders, & told mee his only motive for England was to take Orders, then presently would say if hee could not live by the Ministry, hee would turn Merchant.

(4) I receiv'd a letter directed to y^e^ first Clergyman in Bermudas; by y^e^ seal I suppose it came from my Lord B^p^ of London; none would receive it except old W^m^ Righton, formerly a Preacher here, now turnd Lawyer, a Tayler by trade & a long time serv^t^ to Hugh Peters. He would have open'd it saying it belongd only to him, but I would not pmit him. Our Parish when M^r^ Vaughan returned from England did expect hee should have read y^e^ Common Prayer and administered y^e^ Sacrament for the Lord's Supper; few in y^e^ Island know what it is, more than by relation of aged People who formerly lived in Engl^d^, and not to have flung of his Canonical Gown, & after a Chapter read by a silly Clerk & a Psalm sung, soe irreverently to step into the Pulpit. The Parish is soe much troubled at it that few or none will contribute their benevolence towards his support, y^e^ w^ch^ hee did expect would have far exceeded his two shares of land & £40 p an̄ allowed him by y^e^ late Comp^a^: soe great an influence had M^r^ Bond over him when in England, but before hee went with him for England they were vtter enemys.

(5) Neither y^e^ Sherif nor Country will give mee any account of y^e^ Crown-Lands, Whalefishing or His Ma^ty's^ slaves, but endeavor what they can to conceal them from mee & to obstruct

ye settlemt of ye Country, but would live in their accustomed way of disorder, confusion & cheating; the rich thereby impoverishing the meaner sort & making a prey of them.

(6) About six weeks since came into St George's harbor Capt Bartholomew Sharp vnder a Commission granted him by Sir W Stapleton. They brought in noe Prize; some Indians they had on board ye which they proferd to sale to supply their wants, for they were poor. Hee carrys ten guns & eight pedreros, one hundred men.

(7) I could not pswade ye Inhabitants to send their humble address to His Maty after I had told them their errors in what they had drawn vp & would have had mee subscribed to it: yet some of my Council beleeve they have set one with ye Petn & Artles agst mee. Richard Stafford told mee I ought to give copies of my Commission & said it is a Patent, therefore ought to bee publickly exposed that every man might take a copie, for ye word Patent signified to bee laid open, & that it signified noe more than a letter of Attorney, the Doner dying before it came to ye Attorneys hands. I suspect Mr Bond to bee the first author of this point in law, for hee affirms that his £1000 bond is void. Thus are they nibling at my Commission as they were at the late Companys Patent. Some of the Justices in publique Court demanded of mee by what authority I called a Court or sate there. As Geo Bascom, Law Dill &c.

(8) I humbly request that Capt Bee Commander of the Magazin may be calld before yor Lops to declare how ye Inhabitants have deported themselves during his 9 months stay in this Country. Again I have been importuned for Powder out of the Magazin by way of petn which is here inclosed. Powder there is in ye country to sell but they will not buy, but expect His Maty to provide it for them, and yet vse all inventions to defraud his Customs & none encourages them more than ye Depty Sherif, what their design is I know not, vnless to wast ye store, that Castle and fforts may bee vnfurnished. I well know that two pound of Powder is more than a competent stock for a Militia-Soldier's exercise for one year, nay if the Island was attackt it would bee either kept or lost before that quantity by each soldier was fired. And ever since my Commission came, which was ye 3 of April last, at ye heads of ye Companys I told them yt now they were to provide for themselves as all Militia's are, both Domestique & fforeign. My Lords they want not money, nor opportunity to buy it.

(9) Mr Vaughan proceeds in preparing the land to plant hee held of the late Compa for preaching & will keep it in his hands in ye nature of a Morgage vntil His Maty hath paid him what ye Compa is in Arrears to him.

(10) Part of this letter my Lords I humbly sent to your Lo^{ps} by one Christopher Potter Ma^{r} of y^{e} Pink John & Samuel. This Potter when hee was got out of y^{e} harbor about a league at sea & near vnto sunset took vp 2 of my houshold slaves with their boat, they being a fishing, & stript them for y^{e} service of his voyage, y^{e} one of them is a mulatto, by name James Penny, a tall, strong set fellow about twenty years of age, y^{e} other a Negro by name John Cawker of a middle stature about twenty four years, both of them speak natural English, being born in y^{e} Island. I humbly beseech your Lo^{ps} this Potter may bee enquired after & y^{e} slaves seised on if to bee found; they are His Majesty's. Now I have none with mee but what are old or not fitt for work, they were the All I could expect labor from in my Plantation.

(11) As yet I have not settled any Court of Judicature, I have had enough to doe to keep the Country from Rising in downright Rebellion, nor dare I adventure to call a General Sessions vntil I hear further from His Ma^{ty} & the country bee at more quiet; for if I should it would bee to y^{e} great prejudice of His Ma$^{ty's}$ Interest, besides many peoples here, who with myself expect noe other than a fallacious Jury. About 2 months since I called a Court to decide a difference between a Ma^{r} of a vessel & his Merch^{t}, both bound for Carolina; the vessel was half freighted by y^{e} Merch^{t}. I was the more ready to call a court that neither of them might bee hindered of their voyage. The cause went on the Merchant's side, the Ma^{r}, doubting hee should bee cast, by old Righton's instigation, as supposd, disownd the Court. His vessel is seised vpon Execution and himself imprison'd at the suit of one Capt England; the Merch^{t} disappointed of his Voyage & forc't to remain here with his cargo, vntil he can get passage for his intended Port.

(12) This Ma^{r} whose name is James Smales, presently after his arrival here, hearing that the Duke of Monmouth had defeated His Ma^{tys} Army, hoised his Colors Reverst hee then riding at anchor before my door, which did much animate the Phanatique party here. As old Righton, W^{m} Peniston, Rich^{d} Stafford, Geo Bascom, W^{m} Keel, and their faction.

(13) My Lords y^{e} country abounds with Inhabitants, here is not land or employment for such a multitude, soe y^{t} y^{e} country is pestered with theeves and idle psons, I wish they were in Colonys where land is in plenty. I doe humbly offer to yo^{r} Lo^{ps}, if his Ma^{ty} soe please, that noe man in y^{e} Island keep above y^{e} number of ten slaves. There is so many of them that they grow dangerous, & ten slaves will do the work of y^{e} best ffreeholder in y^{e} country. I likewise humbly offer that Capt Bee com̄ander of the Magazin-ship or some other may bee imployd every year

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to transport y^e^ Bermuda-Tobacco for England. It will bee a great means to keep y^e^ people from defrauding His Ma^ty^ of His Customs; for now y^e^ Comp^a^ is dissolvd noe Magazin-ship will bee sent from them, nor doe the Inhabitants desire to have any, that they may have the better pretence privatly to carry off their Tobacco to Neighbouring Colonys & from thence ship it for Holland, Hamborough &c, which hath been and still is their practice, let mee bee never soe careful. Likewise to have a Commission to search for & seize vpon all such smugled Tobacco or prohibited goods, as Timber of the growth of y^e^ Country either in whole trees, planks or whatever smal ware they may convert it into, for the Timber is destroyed by these ways & building of small Vessels, then selling them to Barbados and other Islands. Likewise impowred to carry off such offenders as the Government shall judge requisit to bee sent for England & that noe Tobacco may be transported in any other bottom. This Capt John Bee hath been several times imployd by the late Comp^a^ & well vnderstands the people. If this my humble offer seems worthy your Lo^ps^ taking notice, bee pleased to own Capt Bee in the Imploy, I humbly recommend him to your Lo^ps^ for a loyal man, an honest man, & that will not see His Ma^y^ prejudiced, if in his power to remedy it.

(14) Here hath lately been another ffrench vessel stranded, of which the Bermudians have likewise made a Prey & set her on fire for her Iron, one ffrances Dickeson a Blacksmith & one of the Militia is suspected to bee the pson, but as yet I cannot find sufficient evidence against him. The real truth is my Lords, they will not evidence against each other in any publique concern; for they are all of them a kin both by Consanguinity and Villany. I have used my best endeavors in this affair, but to little purpose. The principal person in the vessel was Mon^sr^ de Noiiart. Hee intends humbly to apply himself to yo^r^ Lo^ps^ & hopes for redress. The best account I can give in this business I have inclosed in my letter to the Right Hon^ble^ th' Earl of Sunderland.

(15) M^r^ Vaughan hath threatned some of His Ma^ty's^ tenants that hee will buy their houses & land or at least take a long lease, & that it is one of his cheif errants into Engl^d^. The poor men are much perplexed at it. My Lords, the late Company selling the Inhabitants land, was the main ground of their quarrel with the Company: for when they became ffreeholders then they insulted over their Masters, & challenged the Royalty of Whale-ffishing. And it is the great aim of the people to buy all the Crown-lands, which if His Majesty should please to sell them, or lease out the Lands, I most humbly conceive it would prove very prejudicial to Government at least wise vntil the Country be brought to a better conformity. Whilst they are

Tenants at will they may in some measure bee awed, and some Rents will come in to help to fortify (which is most needful) with other contingent expenses. I dare not presume to give your Lo^ps the trouble to read a further enlargement. I am, in all duty, My Lords,

Your Lo^ps most humble most obedient servant

Richard Cony.

3 Jan. 168$\frac{5}{6}$.

32. Letter from the Privy Council to Colonel Coney, 6th Novem. 1686.

To our very Loveing ffriend Richard Cony Esqr, L^t Governor & Comander in Cheife of his Ma^ties Islands of y^e Bermudas or y^e Sumer Islands in America, and to y^e Gov^r or Comander in Chiefe for the time being there.

(1) After our hearty Commendations unto you, Whereas his Ma^tie hath thought fitt to constitute you his Lieft Governo^r and Commander in Chiefe of his Islands and Plantation of the Bermudas or Summer Islands in America, and to appoint a certaine number of persons fitly qualified to be his Councellors within his said Islands and Plantation who may be aiding and assisting to his Ma^tie and his Governo^r or Commander in Cheife for the time being there, by theire Service and Advice; and it being altogether requisit for the Welfare, improvement and preservation of his Ma^ties Collonys in America, that Wee, whom his Ma^tie hath appointed a Committee of his privy Councell for Trade and fforreigne plantations, should have frequent Acomts and Informations of the publique Transactions, Occurrences and Condition of each place, where by we may bee the better enabled to give his Ma^tie such Advice as may bee for his Royal Service and the Advantage of his said Dominions.

(2) These are therefore in his Ma^ties Name and by his Expres Comands to signifie his Royall pleasure unto you his L^t Governo^r and to the Councill of his said Islands, and to his Governo^r and Councill thereof for the time being, that you transmitt unto us quarterly and at ffour severall times in the yeare a perticular Account and Journall of all matters of Importance, whether Civill, Ecclesiasticall or Military which shall concerne theise his Ma^ties said Islands, and more Especially what shall bee proposed, debated or concluded in the Councill and Assembly there uppon the framing and passing of Lawes, As alsoe the present State of the Trade outwards and Inwards, What obstructions you finde in the Cource thereof, with your Opinions and Observations how the State of that Plantation may from time to time be improoved, and what else you shall

judge necessary for Our knowledge and the good Governement thereof. Which Accounts and Informations are to bee signed by you his Ma^{ties} said L^{t} Governo^{r} and the Councill, And by the Governor and Councill for the time being, and transmitted unto us by the first Oportunity, As allsoe Duplicate thereof by the next Succeedeing Conveyance. And you are likewise to take care that this Letter bee Registered in the Councill book of that plantation, To the End that Due Obedience may bee att all times given to this Signification of his Ma^{ties} pleasure. And soe not doubting of your ready and punctuall Execution hereof, Wee bid you heartily farewell. From the Councell Chamber att Whitehall this 6th day of Nov^{r} 1686.

Your loving Friends

Jeffrys. C. Middleton.
Rochester. Sunderland P.

The L^{t} Gov and Councill of the Bermudas to transmitt a Quarterly Acc^{t} of Proceedings.

33. (1) Reference has been made to reports that the Bermudas were sold to the Spaniards. These reports, of which we have traces as early as October, 1684, originated in the Bahamas. Richard Jennings and Joseph Hall made oath before the Governor and Council, 12 Novem. 1686, 'That they touching at Bahama Islands heard several persons say, who were then or had been prisoners, That the Spaniards had bought Bermudas, and that the Spaniards should say they had bought it of the Governor and that when they came here there would not be so much as a stone fired at them, and that they had been informed that y^{e} Governor had called in all the country's arms.' There are other depositions and extracts from letters to the same effect; and it was thought necessary to give a formal denial to the charge.

(2) At a Council Table, 11 Novem. 1686.

Whereas it hath been malitiously and scandalously spread abroad and reported in sundry forraigne parts and countreys, That y^{e} Right Hon^{ble} Richard Coney Governor and Generall in Chief of these his Ma^{ties} Islands of Bermudas *als* Som̄er Islands hath purposed to betray, nay and hath sould y^{e} said Islands to the Spaniard, and also called in each p.sons armes whereby y^{e} country is made incapable to defend y^{e} said Island from any invasion or enemies. These are therefore to certifie That we y^{e} chief officers next to y^{e} said Generall, doe attest and affirme y^{t} he y^{e} said Generall hath no wayes disarmed or rendred incapable of defence, either the Castle, ffortes or Militia, but on y^{e} contrary hath vigorously endeavoured to fortifie p^{r}serve and defend y^{e} same to his utmost power and capacity, in witness whereof we have hereunto sworn and subscribed y^{e} 11th day of novem 1686.

John Tucker, Cap^{t} Lieu^{t} to y^{e} Generall's Company.
Dan^{ll} Tucker, Ensigne to y^{e} Generall's Company.
Sam^{ll} Brangman, Counsellor and Command^{r} of Southampton Fort.
Dan Seymour, Command^{r} of Pagett's Fort.

(3) Not contented with this vindication the Governor cleared himself by oath.

The R^{t} Hon^{ble} Richard Coney Governor and Generall in Chief of these his Ma^{ties} Som̃er Islands, voluntary, maketh oath before y^{e} Counsell, sundry Justices, Dep^{y} Sheriff, and other officers as followeth:

That whereas there hath been a malitious report of late raised and spread abroad of his betraying the Island into y^{e} hands of y^{e} Spaniard, He on his oath declares, That he never either directly or indirectly, thought, imagined, contrived or intended any mañer of ways or means whatsoever to sell, bargain for, or betray these said Islands to y^{e} Spaniards, or any other people or nacon whatsoever; but faithfully and loyally to serve his Ma^{tie} at all times, places, and occasions to y^{e} utmost of his power, skill, and capacity; and that he hath been from his first arrivall in these his Ma^{ties} Islands and still is, and will continue, ready to sacrifice his life in defence of them, from all manner of invasions or other attempts of any enemy whatosever.

The premises were sworne to in y^{e} presence of

Cap^{t} ffran Tucker Councell^{r} and Justice, and Com̃and^{r} of Smiths Fort
M^{r} John Huching Councell^{r} and Justice
M^{r} Will Pitt Councell^{r}
M^{r} Richard Phillips Councell^{r}
Lieu^{t} Will^{m} Jones Councell^{r} and Command^{r} of y^{e} Kings Castle
Capt^{n} Sam^{ll} Brangman Counsell^{r} and Command of Southampton fort
M^{r} Thomas Outerbridge Justice
M^{r} Laurence Dill Justice
Captain John Hubbard Dep^{y} Sher.

John Janneye Dep^{ty} Secr^{r} [1]

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[1] John Janneye took the oaths of secretary in succession to John Tucker, November 3, 1685. The titles of Excellency and Right Honourable are first given to the Governor by him, in an entry of February 9, 168$\frac{5}{6}$.

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34. Colonel Richard Coney resigned his government to Sir Robert Robinson 12 April, 1687, the commission of the latter being read as usual in the parish church of St. George's. One of his first acts was to investigate a charge of false imprisonment brought against his predecessor by one James Smales; petitions were also presented by Captain W. Keele, and Sybilla, widow of the late Will. Righton, for reparation for the damage sustained by them in being sent prisoners to England, and by Wm. Greene, Charles Walker, and Will. Pitt for having been made to sign illegal bonds. Coney declined to vindicate himself, and said he would answer the matter to the King his master; here the Colonial Records leave it.

35. It is beyond the purpose of this publication to pursue the history of Bermuda under the Crown, but some notice is due to incidents which lay at the foundation of that history.

(1) One of the new Governor's first acts was to relieve a grievance by granting licences to several persons to kill whales. 'Captain Will. Peniston for 4, Anthony Joyner and Richard Phillips for 2, John Janneye and John Dickenson for 2. They referring His Majesty's part to the Governor's courtesy and future pleasure to determine.'

(2) Permission was given to the inhabitants to transport their tobacco to London. Its then value is incidentally mentioned as 14*s.* a hundred (probably a cwt.) or under 1½*d.* per lb.

(3) The Treaty of Peace concluded 16 Novem., 1686, with Louis XIV. was proclaimed Jan. 3, 1687, and on the 6th June was held the first Assembly under the Crown. It is probably due to nothing else but the indifference of the Secretary of State that an opportunity was now lost of correcting one of the greatest anomalies in the constitution of Bermuda, namely, the disproportionate number of the popular branch of the Legislature. This Assembly on 27 Sept., 1687, passed an Act reducing the number of representatives to two from each parish instead of four; but it lapsed, for want of a formal communication of the Royal assent, as did many others in succeeding years.

(4) The Assembly sought for guidance of the Governor in Council:

First Whether they may concern themselves with the Publique lands.

Answ. That they may imploy for y^e present the publique rents towards defraying the publique charges, but not to be a precedent.

Second Whether they may appoint a Treasurer for the receipt of money to be raised by the Assembly, as likewise p.sons for the carrying on, and management of the worke upon the ffortifications.

Answ. That they may appoint persons for the receipt of money and management of worke, and that one of them be chosen out of the council.

Third Whether they may concern themselves with the Gleabe lands.

Answ. That he will not meddle with the gleabe lands at present, intending to be further satisfied concerning them from England.

(5) The Assembly passed 25 Acts, several of which were returned to be amended by the Governor and Council sitting as an Upper House of Legislature. Among them was one to establish Courts of Judicature, and on the 12 Septem. Captain Thomas Richards was commissioned Chief Justice, with five assistants.[1]

(6) The Assembly expressed itself, through the Speaker, against the establishment of two troops of horse, but passed a Militia Act, which included this provision, notwithstanding; also against baptizing of negroes, although the Governor declared that he had shown Captain Peniston (one that came with the Speaker), the clause of his instructions wherein his Majesty's command was signified for their being brought over to the Christian faith.

36. We have now followed the development of the Colony of Bermuda, from the infant Plantation of sixty souls in 1612, into the sturdy little community which now exists, to perplex colonial administrators by its anomalous constitution, and its claims to a measure of self-govern-

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[1] The new Court very soon exercised its power, by hanging one John Milton on October 5, for the murder of William Abbit.

CHAP. XVIII. 1683–1687.

ment never before enjoyed under a monarchy by so small a body of people. The history of the next century is equally interesting. The benevolent proposal of Bishop Berkeley in 1725 to found a College in Bermuda for the supply of clergy to the Plantations, although fruitless, attracted much attention for the moment to the colony. It was revived by Rev. W. C. Dowding so recently as 1853, and a small Trust Fund then raised is still in existence. The colony left to itself developed a great maritime industry, and engrossed much of the carrying trade of the West Indies. So entirely, however, was it neglected, that no gunpowder or warlike stores of any kind were sent out from 1701 to 1738, nor was any addition made to the local militia before 1728, when 'The King's Independent Company' of 50 men was raised. The first Regiment sent was the 47th, seven companies of which landed from the Bahamas in 1797; but we find traces of a Royal Garrison Battalion as early as 1779, and of Royal Artillery in 1783.[1] In 1782 the Council still provided guns and gunpowder, and in 1795 the colony possessed a sloop and a gun-boat of its own.

Many and singular are the questions which were fought out in this century between Governors and Assemblies or other local bodies, the last of which reached the Court of Queen's Bench in the *cause célèbre* of Basham *v.* Lumley so lately as 1829. The reader who is interested in the modern history of Bermuda will find it traced by the late Mr. William Frith Williams, in a volume which has been frequently referred to,[2] and also in a work by the late Dr. Godet.[3] These, however, are far from exhausting the subject, and in retiring himself from the field, the writer cannot but express his hope that some native of the islands will take up the theme where he leaves it, and give to colonial history hereafter a sequel to the present Memorials.

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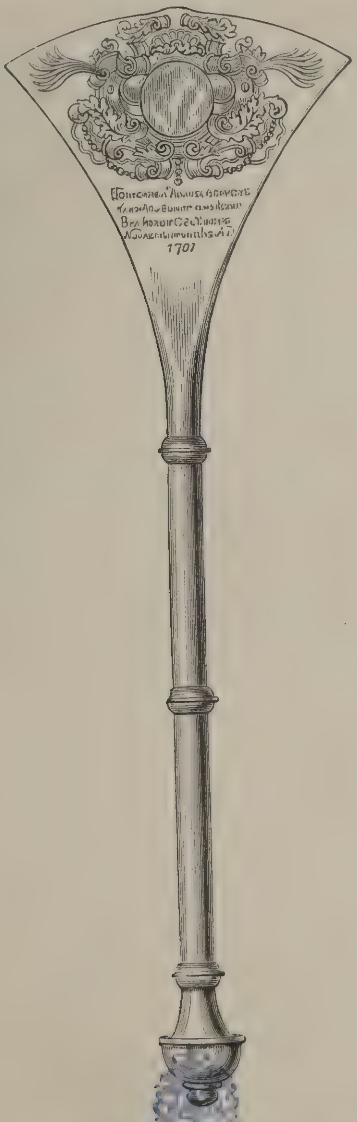
[1] St. George's Parish Records. The colony provided the barracks.

[2] 'An Historical and Statistical Account of the Bermudas,' by William Frith Williams. Newby, 1848, 8vo. p. 346.

[3] 'Bermuda, its History, &c.,' by Theodore L. Godet, M.D. Smith & Elder, 1860.

[*To face p.* 570.

THE SILVER OAR OF BERMUDA.



THIS EMBLEM OF ADMIRALTY JURISDICTION WAS PROVIDED BY GOVERNOR BENNET, 1701.

See *Archæological Journal*, 1873.

APPENDIX.

I.

ADDITIONAL EARLY NOTICES OF BERMUDA.

(1) *Raleigh.*

APP. I.

Sir Walter Raleigh, in his account of the discovery of Guiana,[1] 1595, refers very briefly to Bermuda as follows:—

> The channell of Bahama, comming from the West Indies, can not be passed in the winter, and when it is at its best, it is a perillous and a fearefull place. The rest of the Indies for calmes, and diseases very troublesome, and the Bermudas a hellish sea for thunder, lightning and stormes.
>
> This very year (1595) there were seuenteen sayle of Spanish shipps lost in the channell of Bahama, and the great Phillip, like to have sunke at the Bermudas was put back to Saint Juan de puerto rico (p. 96).

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[1] The Discoverie of the Large Rich and Beavtiful empyre of Gviana, with a relation of the Great and Golden citie of Manoa which the Spanyards call El Dorado, and of the Provinces of Emeria, Arromaia, Amapaia and other countries, with their rivers adioyning. Performed in the year 1595 by Sir W. Ralegh Knight, Captaine of Her Majesty's Guard, Lord Warden of the Stanneries, and Her Highnesse Lieutenant-General of the County of Cornewall. Imprinted at London by Peter Robinson, 1596, 4to. pp. 112.

(2) *Sieur de Champlain.*

APP. I.

Among the navigators preceding Somers who have left us some notice of the Bermudas is also to be counted the Sieur de Champlain, the founder of Quebec, who sighted the Islands about the year 1600. He must have coasted very near the south side, to have carried away any impression of high land; but it is probable that the hills were then crowned by forests, of which we have now but degenerate remains. His brief narrative is as follows:—

We were four months at the Havanna, and leaving it with the whole fleet of the Indies, which had assembled there from all parts, we proceeded to pass the channel of Bahan (Bahama) which is a passage of consequence, and which must necessarily be passed in returning from the Indies. On one side of the said passage to the North lies the land of Florida, and on the other the Havanna. The sea flows in the said channel with great impetuosity. This channel is eighty leagues in length, and in width eight leagues, as it is figured hereafter, together with the land of Florida, at least such part of the coast as can be seen.

On quitting the said channel we came near to Bermuda, a mountainous Island which it is difficult to approach on account of the dangers that surround it. It almost always rains there, and thunders so often that it seems as if heaven and earth were about to come together. The sea is very tempestuous round the said Island and the waves as high as mountains.[1]

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[1] 'Brief Narrative of the most remarkable things that Samuel Champlain of Brouage, observed in the Western Indies during the Voyage which he made to the same in the years 1599–1602.' Hakluyt Society, 1859, p. 46.

II.

Shakespeare and Somers.

APP. II.

The question whether Shakespeare was acquainted with the incidents of Sir George Somers' shipwreck, and whether his imagination, in writing the 'Tempest,' was in any degree influenced by them, is one which has never failed to interest his critics, and to occupy visitors to the Bermudas. The late Mr. Halliwell appears to have taken a different view from Malone, and was of opinion that 'the utmost that could be reasonably affirmed of the early accounts of the Bermudas, presuming the "Tempest" to have been a late play, is that they may possibly have suggested a few of the subordinate circumstances mentioned by the Poet; the Bermudas were represented as being under the influence of enchantment; in the shipwreck of Sir George Sommers his ship had been split between two rocks: during his abode one or more conspiracies had taken place, and a sea monster in the shape of a man had been seen. These are really (he says) all the notices of any moment involving coincidences of the slightest importance.'[1] He regards as 'purely accidental' the coincidence of the story of the three Lords,[2] with the assumption of regal authority by Stephano; and passes without notice the verbal resemblance of at least two important passages in the play[3] to the prose narrative of William Strachey. Under these circumstances it may be permitted to adduce here two additional proofs of the great public interest aroused by the wreck of the 'Sea Venture,' an interest which it has not wholly lost to this day. I am indebted for one of them to Mr. Sketchly, of the Dyce Library, South Kensington.

Shakespeare's play of the 'Tempest' was first produced on the stage on November 1, 1611 (Hallowmass night). It is highly improbable that its composition is of much anterior date. Jourdan's 'Discovery of the Barmudas' bears date 1610,[4] and

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[1] 'The Works of William Shakespear,' by James O. Halliwell, I. p. 319, Folio, 1853.

[2] See vol. i. p. 53.

[3] See vol. i. pp. 23–27.

[4] Vol. i. p. 14.

APP. II. of the same date is a 'Poetical Tract, by R. Rich, Soldier,'[1] doubtless one of the many scions of the vigorous family of Warwick, in which the following stanzas occur:

It is no fabulous tale
  Nor is fayned newes:
For Truth herselfe is heere arriv'd,
  Because you should not muse.
With her both Gates and Newport come
  To tell Report doth lye,
Which did divulge unto the World,
  That they at sea did dye.

Tis true eleaven monthes and more,
  These gallant worthy wights
Was in the shippe Sea-venture nam'd
  Depriv'd Virginia's sight.
And bravely did they glyde the maine,
  Till Neptune gan to frowne,
As if a courser prowdly backt
  Would throwe his ryder downe.

The seas did rage, the windes did blowe,
  Distressed were they then:
Their shippe did leake, her tacklings breake,
  In daunger were her men.
But heaven was pylotte in this storme,
  And to an iland neere,
Bermoothawes call'd, conducted then,
  Which did abate their feare.

But yet these worthies forced were
  Opprest with weather againe,
To runne their ship betweene two rockes,
  Where she doth still remaine.
And then on shoare the island came,
  Inhabited by hogges,
Some foule and tortoyses there were,
  They onely had one dogge.

To kill these swyne, to yield them foode
  That little had to eate,
Their store was spent, and all things scant,
  Alas! they wanted meate.
A thousand hogges that dogge did kill,
  Their hunger to sustaine,
And with such foode did in that ile
  Two and forty weekes remaine.

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[1] 'News from Virginia of the Happy Arrivall of that Famous and Worthy Knight Sir Thomas Gates, and well reputed and Valiant Captaine Newport into England. By R. Rich soldier.' The only original is in the library of Mr. H. Huth.

And there two gallant pynases
Did build of seader-tree ;
The brave *Deliverance* one was call'd,
Of seventy tonne was shee.
The other *Patience* had to name,
Her burthen thirty tonne ;
Two only of her men which there
Pale death did overcome.

And for the losse of these two soules,
Which were accounted deere,
A sonne and daughter them was borne,
And were baptized there.
The two and forty weekes being past,
They hayst sayle and away ;
Their ships with hogs well freighted were,
Their harts with mickle joy.

And so unto Virginia came,
Where these brave souldiers finde,
The English-men opprest with griefe
And discontent in minde.

* * * *

So far the soldier of fortune, R. Rich ; but we have another effusion, only a little later, which followed a very famous performance of 'The Tempest,' before the Lady Elizabeth and the Elector, Prince Palatine, Prince Charles, early in 1613. It occurs in 'An Epicede, or Funerall Song on the most disastrous Death of the Highborne Prince of Men, Henry, Prince of Wales,'[1] an event described in great detail in Somers's Tracts. He died November 6, 1612.

Fever is impersonated instilling her venom into the Prince, and the Poet exclaims :—

Was there a sight so pale, and desperate
Ever before seene, in a thrust-through State ?
The poore Virginian, miserable sayle
A long-long-Night turn'd Day, that liued in Hell
Never so pourtrayd, where the Billowes stroue
(Blackt like so many Devils) which should prove
The dammed victor ; all their furies heighting :
Their Drum the thunder : and their colours lightning
To drown the waves in noyse : the other spending
His Hel-hot sulphurous flames to drink them dry :
When heaven was lost, when not a teare wracked eye
Could tell in all that dead time, if they were
Sincking or sayling : till a quickening chere
Gave light to saue them by the ruth of Rocks
At the *Bermudas :* where the tearing shocks
And all the miseries before, more felt

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[1] Dyce Library, South Kensington.

APP. II.

Than here halfe told: all, all this did not melt
Those desperate few, still dying more in tears
Then this Death, all men, to the marrow weares,
All that are men . . . . .

In the margin is 'Descriptiō of the tempest that cast Sir *Th. Gates* on the *Bermudas*, and the state of his ship and men, to this kingdomes plight applyed in the Princes death.'

These references to a great and recent catastrophe detract somewhat from Halliwell's remark, that 'It is in the highest degree improbable that a purely imaginative drama should have been made the medium of allusion to the disasters of a contemporary shipwreck' (p. 323). They rather show that the vivid imagination of our great dramatist had presented to it precisely the facts likely to arouse it; and that the thunder, lightning, and violence, of the tremendous cyclone from which the expedition so narrowly escaped, were indeed immortalized, but not invented, in the second scene of the 'Tempest.'

III.

APP. III.

The fugitive publications of the Rev. Lewis Hughes, the first minister appointed to Bermuda by the Virginia Company, in 1612, the companion and councillor of Governor Richard Moore, were not known to the Editor when the first volume of this work was printed. Two of them are descriptive of the Islands, and perhaps furnished Smith with some of his material. They are very interesting and call for fuller notice.

In his letter from the Summer Islands, 1615,[1] after a short account of the shipwreck and deliverance of Sir Thomas Gates and his companions, he proceeds:—

> The eleaventh of July 1612 Master *Richard Moore* now Deputy Gouernour, arriued safely, and with him about 50 soules, men, weomen, and children, to inhabite these Ilands, and since that time (by the mercy of God) diuers others shippes out of *England* haue arriued safely with good supplies: therefore let not the report that hath gone of these Ilands discourage any of the people of England from cumming hither.
>
> Neither let the feare of forraine inuasion discourage anie. For as I am perswaded, and have heard marriners, that haue trauelled farre say, the like Islands are not to be found in the world, where men may dwell so safe from forraine inuasion, because God hath so compassed them about with fearefull rockes, as shippes are not able to come neare, but in two channels, that leade into two goodly and large harbours: the one at a place called *Gurnats Head*, the other at a place called *Dauies Point.*
>
> The channels are so narrow and curious, as ships must come in very leasurely, one after another, so as the forts on both sides the channels may sinke them with ease by the helpe of God.
>
> As it hath pleased God (for the safety of those Islands) in their first creation, to inuiron them about with fearefull rocks: so now in their first plantation, it hath pleased his holy majesty to put into the heart of M^r^ *Moore* now Deputy Gouernour, to fortifie them within, so as in the iudgement of man, they are inuincible.
>
> At the *Gurnats head* he hath built three forts, and planted them with great peeces, and men to defend them; and at *Dauies Point* he

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[1] 'A Letter sent in to England from the Summer Islands written by Mr. Lewis Hughes, Preacher of God's Word there, 1615. Printed at London by I. B. for William Welby, and are to be sold at his shop at the signe of the Swanne in Paules Church Yard 1615, pp. 13.'

APP. III. hath builded two forts and planted them with great peeces and men to defend them. He hath also built diuers other forts to keepe long boates from landing, and to cleer the harbours if ships should come in.

If long boates should venture to land any there, they will be but as men cast away, because ships cannot come neere to rescue or helpe any waie; therefore let not the feare of forraigne inuasion keepe any from cumming hither.

There is great hope that (by the blessing of God) men may in time liue very comfortably heere, and growe rich, if they will prouide seeds of Indico &c. and plants of currants, figges, raisons, mulberry trees for the silk-wormes & vines, that they may haue wine for their owne drinking. I say for their owne drinking, because wine, considering the leakeage, trouble, and charge wil be one of the least commodities these Ilands will afoord.

For the present Tobacco is the best commoditie, and for victuals, if men have boates, nets, lines, hookes, and striking irons, they may haue good fish at all times, as *Rockfish*, *Angell-fish*, *Hogge-fish*, *Amberfish*, *Cutlefish*, *Pilotfish*, *Hedgehogfish*, *Cunnyfish*, *Old wines*, *Stingraies*, *Snappers*, *Groopers*, *Caualliies*, *Morraies*, *Mullets*, *Mackerels*, *Pilchers*, *Breames*, *Lobstars*, *Turtles*, *Sharkes &c.* Also heere are *Eeles* in freshwater ponds. Riuers here are none, but ponds and welles of very good and holsome water, and a water descending from an hill, which floweth and ebbeth with the sea, and yet drinketh alwaies sweete like milke.

Here is also plenty of sea foules, at one time of the yeare, as about the middle of *October*, Birds which we call *cahouze* and *Pimlicoes* come in.

The *Cahouze* continue til the beginning of Iune in great abundance: they are bigger bodied than a *Pigeon* & of a very firm & good flesh. They are taken with ease if one do but sit downe in a darke night, and make a noise, there will more come to him then he shall be able to kill: some haue told me that they haue taken twelue or foureteen dozen in an hower.

When the *Cahouze* time is out, other birds called *noddies* and *sandie birds* come in, and continue till the latter end of *August*.

Here is no kinde of beasts but hogges and cattes and they but in one or two places which are thought to come at first by meanes of shippe-wracke. The hogges were manie but are now brought to a small number.

The Calues and Lambes that we brought out of *England*, did prosper exceedingly, till the hunters met with them. The cocks and Hennes wee brought with vs, doe prosper and increase much, and are a great comfort vnto vs.

And now that we haue found out the right seasons of the yeare to set corne, we are like (by the blessinge of God) to haue plenty of this countrey wheate, which is very good, large and faire, and more hearty and strong than our English wheate.

Young children doe thriue and grow vp exceeding well: the climate is so temperate and agreeable to our English constitutions.

The aire is very holsome, and not subiect to such contagious infections as it is in *England*.

The longest day in the yeare is fowerteene howers, and the shortest tenne from sun to sun. When it is noone in *England*, it is about eight of the clock in the morning with vs.

The seasons of the yeare are two, a hot season that beginneth about the middle of *Maie* and continueth to the middest of *August*, all the rest of the yeere is a continuall spring. The heate of summer is not so extreame but it may be well endured.

Fresh gales of wind we haue every daye. The greatest annoiance are flies, for two moneths and a halfe: they are almost as busie in *England*.

Long and drizling raine is seldome seene, but great showers with great droppes very often.

Thunder and lightning do no such hurte here as in *England*.

Snow, haile, frost, thick and foggie mistes wee haue none.

The night is lighter and more comfortable heere than in *England*.

The birds make a noise almost all night, but not with such pleasant tunes as the Larkes, and other birds doe in *England*. Heere is no bird that singeth in the daie but the sparrow, the Robin redbrest & the Robin-williams.

The earth is very fertile, and so mellow and gentle, as it needeth neither plowing, nor digging, so that after the wood is taken off, and the grasse and weeds bee burnt and destroyed, and the common business of Fortifying bee once ended, men shall liue heere in much ease, without such moyling and toyling as in *England*. The greatest labour will be in worming and pruning of some plants, which children may doe as well, and better than men.

I wish that all they that hereafter shal come hither out of *England* would consider with themselues that these Ilands were neuer inhabited till now, and that therefore they must of necessity labour hard at first, and be contented to endure hardnes and some want of many necessaries.

In time (by the grace of God) the storehouse shall be furnished with all necessaries, for such as haue money, and they that haue not, shall be trusted: But now in regard that the greatest part of the people that be heere, came very rashly and carelesly, not considering whither they went, nor what they might in time haue neede of, & thinke that all that can be brought into the store as yet will be taken vp by them: and therefore I advise such as are to come to bring (euery one that is able) a barrell or two of biskets for his owne eating, till hee haue cleered his ground, and haue wheat of his owne. Also let them bring oyle, vinegar, aquauite, barrell butter, pottes, kettles, frying-pannes, triuets, boules, traies, tanckards or pottes to drinke in, pailes to fetch water in, and little barrels or iarres to keepe it in for their drinke. The water is very good and wholsome, such as many doe delight in.

Also let them bring tongs, fire shouels, bellows, tinder boxes, brimstone, flint stones and steeles, spits, dripping-pannes, candlesticks, lampes, locks, spades, shouels, pickaxes, hatchets, whetstones; sawes, hammers, pearcers, pincers and nailes of all sorts so many as

APP. III. wil serue to build a house with, and leather to mend their shoes, and sparrowbils, or nailes to driue into them, els the rocks will bare them out quickly. Also let them bring bedding: flock beds are better than feather-beds. And for apparrell for the summer, let them bring canuas or stuffes: blue linon and good buckrom the women do wish for.

Also let them not forget to bring castle sope, pins, points, lases, needles, threed, thimbles, sheeres and scissors. Also let them bring strong fishing lines, of 12 or 14 faddoms long, and som smal of whip cords and strong hookes, the biggest, and as diuers as they can, and some small hookes for breames. And aboue all things haue a care to leaue their sins behinde them, and to come hither as it were into a new world; and for the comfort of their souls let them bring Bibles and other good bookes; and pack vp all their small stuffe in barrels; the barrels will afterwards serue them for many good vses.

Idle persons, and such as are giuen to filching doe liue heere in great misery; soe also doe all whorish women in great disgrace, which maks them weep, and sigh with teares to wish themselues in *England* againe, and for their comfort, to coole them a little, they are now and then tawed at a boates tail vp and downe the harbour. So were a couple serued together, a man and a woman that came in the ship that came in, and so haue diuers others.

Also all such as are profaners of the Sabboth and come to the seruice of God but when they list. I see that God findeth them out and denyeth them his blessing.

All they that haue grace to serue God, are sure to prosper and liue comfortably, because God hath said '*Behold my servants shall eat* &c.' Isai. 65. 13-14.—Ps. 33. 18-19.—Ps. 34. 10.—Ps. 37. 34. The God of Peace, that broughte againe from the dead our Lord Jesus &c. Heb. 13. 20–21.

From the Summer Ilands this 21 *of Decem.* 1614.

Yours as his owne

LEWIS HUGHES.

In his 'Plaine and True relation,'[1] printed seven years later, Hughes enumerates and impresses upon the people of Bermuda, with much earnestness, the various instances already presented in their short history of providential mercies: a transcript of the whole would be but a repetition of much that has been related in the first volume.

1. The security given to the Islands by fearful rocks and shoals all round.

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[1] A Plaine and true relation of the Goodnes of God towards the Sommer Ilands written by way of exhortation, to stirre vp the people there to praise God. Whereunto are added certaine questions and answers concerning the keeping holy of the Saboth day, and publicke exercises of religion Written in the Summer Islands for the benifit of the people there. By Lewis Hughes minister of God's Word. At London. Printed by Edward All-de dwelling neare Christs Church 1621 pp. 46.

2. The two goodly and large harbours, with such curious and narrow coming in.

3. The artificial fortification effected by Captain Butler within the space of only one Year. He specifies, At the Kings Castle 18 great peices excellently mounted, the most of them upon new carriages of cedar, 5 more mounted in Southampton Fort which flankers the Kings Castle. At *Pembrooke* Fort 2 great pieces. In *Pagets* Fort 5, and in *Smiths* 5 the which two last command the harbour of *St. Georges*. At *Warwick* Fort 3. At the towne before the Governors House 8. Another at the foote of the mount to serve as a warning piece and at St Katherines Fort 2 to scour that Bay In all 53 pieces of great ordinance very well mounted. . . .

'The mount which was blowne downe with a terrible gust of winde, being the eye of the Iland, and a great comfort, because from the top of it, ships were discouered, is built againe by Captaine Butler, so that now these Ilands are well fitted and prepared both within and without against all forraigne inuasions, Gods holy and great name bee therefore praised.'

4. That the Islands have been kept from the beginning of the World for the English nation and no other.

5. The circumstances of their discovery. He incidentally remarks that the fleet consisted of eight sail. The *Sea Venture* was of 300 tons and had 9 feet deep of water in the hold two hours before she struck between two rocks where she stuck fast, when the wind immediately abated.

(1) You that were sent in the first ship called the *Plowe*, with Mr *Richard Moore* Gouernour, in the yeere of our Lord 1611, you were no sooner within the Harbour but for your welcome, God brought plenty of good Fish to the ship side, which did attend vpon you and follow the Boat to shore, where some did cast out of the water with their hands, so much as did suffice you all, which did rejoyce you much.

(2) Consider also how (to your further ioy) God brought vnto you, the three men that were left in the Iland, all three in good health, fat and well liking, though out of clothes.

(3) Consider how God had prouided by them an acre of good wheat, ripe and ready to be gathered, besides the wheat that you found in their Houses, with Indian beanes and pease, and great store of ripe Pompions. Also you found Tortoyses ready taken, and by the prouidence of God rosted and sod so much as sufficed you all.

(4) Consider also how bountifully God brought vnto you the fowles of the ayre in great abundance, which did offer themselues to be taken by you, so as if one did but sit on the ground, and make any mournfull noyse, more came to him than he was able to kill and carrie awaie, so as one man in one houre hath taken about thirty dozen.

(5) Consider also the goodnesse of God, in blessing your first labour, in clearing of ground, and setting of Corne, so as by the blessing of God, you had great encrease notwithstanding that the Corne was set late.

APP. III.

Vpon your second crop, (partly for the vnthankfulnesse of some, and partly for the trial of other some) God denied his blessing, so as you receiued not your seede againe, therefore feare of great want came vpon you Then, euen then when your hearts began to be troubled with feare of want, Almighty God who neuer faileth nor forsaketh them that are his, did send you a comfortable supply vnlooked for.

While that was spending, your looking for more supplies out of England, and following Tobacco too greedily, did cause you to neglect setting of corne, whereby you were brought into great want. Then the number of people encreasing and as they encreased, sin and disorder did also encrease, which brought the correcting hand of God upon you many wayes, so as diuers did perish very miserably: but consider I pray you that most of them that so dyed, were vngodly, slothfull and heartlesse men, which sheweth plainely that God hath not reserued these Ilands from the beginning of the world, to bestowe them now vpon such as shall dishonour and prouoke him euery day as many of them did. I cannot but wonder, when I think vpon the nastinesse & loathsome lazinesse, wherein too many of them died, crying night and day for meat, notwithstanding they had meat enough if not too much, for they did nothing night and day but dresse, and eate, and so greedy, as they would not stay till their meate was sod; but more like dogges then Christians did deuoure it blood rawe.

The first night that I lay in the Iland, which you call *Coopers Iland* (whither the lazie staruing crewe were sent, and with them some honest industrious persons, though then much out of heart, and now liuing, and well, thanks be vnto God) when I saw in euery Cabbin Pots and kettles full of birds boyling, and some on spits rosting, and the silly wilde birds comming so tame into my cabbin and goe so familiarly betweene my feet, and round about the cabbin, and into the fire, with a strange lamentable noyse, as though they did bemoane vs, and bid vs take, kill, roast, and eate them: I was much amazed, and at length said within myselfe, surely the tameness of these wilde birds, and their offring of themselues to be taken, is a manifest token of the goodnesse of God euen of his loue, his care, his mercy and power working together, to saue this people from staruing.

Mr. Moore then Gouernour, fearing that their ouer eating themselues would be their destruction, did remoue them from thence to *Port Royoll*, where they found but little or no want; for, birds they had there also, brought to them, euery weeke, from the Ilands adioyning, whither some were sent of purpose to bird for them: Also they had Fish brought vnto them, a Boates loading at a time, and Palmetoe Berries, which you know are so wholesome and nourishing, as a man may well liue with them, and be in heart and strength, though he haue nothing else;[1] notwithstanding all this, they died miserably some with meate in their mouthes crying for more. This surely was a great iugement of God vpon those slothful and greedy Belly-gods and a manifest signe and token (as I said euen now) that God hath not reserued these Ilands from the beginning of the world till now, to bestowe them vpon such as shall prouoke him euery day, as many of them did. The correcting hand of God, which then lay heauiest vpon the lazie ones, did stretch out itselfe ouer all euen the most industrious, when their Lines Hooks and Nets were worne out, so as many of them also died.

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[1] The Palmetto berry may be compared to a very small shrivelled date, with very little flesh, but that little sweet to the taste. It is difficult to understand these early statements of its nutritious qualities. At the present the fruit, which is abundant, is not gathered or put to any use.—ED.

(6) You that came in the first ship with Mr. Moore being about 60 persons, haue great cause to praise God for his goodnes in preseruing you; so as you are all aliue in health and strength, except one that was killed in shooting off a great Peece: it is now almost nine yeares since you came hither.

God make you all thankfull, the worst (by the grace of God) is past; your hope and common talke is, that (by the helpe of God) you shall neuer see the want that you haue seene. Now that a constant course is held in planting of corne, you are sure by the blessing of God to haue two Wheat Haruests euery yeare, with less labour then they haue one in *England* because here is neither ploughing or harrowing, you haue plenty of good fish if you will take paines to goe out to sea for it.

Instead of the plenty of wilde Hogges, that you found here at your first arriuall, you haue tame Hogges, and also Turkyes and Powltry, so many as you can keepe.

The kine in S^t^ Georges Iland (you see) doe multiply and prosper well, so as in time, by the blessing of God, they will be a great comfort vnto you; so will the Goates also, if care be had of them.

Potatoes yon haue plenty, as good as any bee in the world. Plantynes, Pynes, and other delicate Indian fruits, you are like to haue plenty if you will haue a care to plant them.

Also if (according to the Statute made in the first yeare of Captain Butler his government) you make your Fences of Figge and Pomgranate Trees, you will haue more figges and Pomegranates then you will be able to spend; what a comfort will it bee vnto you, to haue all your fences of Figge Trees and Pomegranate Trees? the like (I think) is not to be found in the world.

Sugar Canes, though they be not like to proue any marchantable commodity, yet they will be a great comfort to you in many wayes.

The Casaua roote is like to proue a great blessing of God vnto you, because it makes as fine white bread as can be made of wheat, and (as I am persuaded) wholsome because the Indians that liue of it, are tall and strong men.[1]

The bread will keepe as long as Bisket, and therefore is good for the Forts.

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[1] Among the questions propounded by the Royal Society in 1668 was one whether the root of the manioc is so fertile, that one acre planted therewith yields so plentiful a crop as shall feed more people than six acres of the best wheat?

APP. III.

Then follows a page of instruction for preparing cassava bread.

Your chiefe and marchantable commodity for the present is Tobacco: pray to God to blesse you with some other commodity which may be more to his glory, and comfort of his people then Tobacco is.

There is a greate hope of the silkeworme, Captaine *Butler* your Gouernour saith that the mulberrie Trees growing in the Summer Ilands are as good, if not better, then those, that he hath seene, where silke is made.

The spiders doe make perfecte silke; therfore I am persuaded there is no doubt to be made of the silke worme. faile not therefore to plante mulberrie trees neere your houses, that you may haue meat at hand for the wormes when they shall be sent you.

Forget not the goodnes of God, in manifesting the loue and care that he hath of you, by blessing you with a Parliament, wherein diuers Lawes and Statutes fitting your Estate, and agreeing with the Lawes of England haue been made: wherein also I obserue the good hand of God in that (notwithstanding your discontentments and greevances were many; and that diuers did purpose (as I gather by their speeches) to stand stiffly or rather obstinatly to haue things caried according to their owne wills, so as I did feare it would prooue an vnhappy, long and troublesome Parliament) It pleased God so to direct Captaine *Butler* your Gouernour in the ordering of it, and also to change the minds of diuers Burgesses, as when they were assembled, there was such reasonablenesse and sweet vnity of mindes euen in all, as the Bils did passe, and were graunted on all sides, readily, and cheerefully, which to me seemeth a great worke of wonder and a manifest signe that God, who is the God of loue and peace, was in the midst of vs, guiding and assisting vs with his holy spirit; his holy and great name be therefore praised. I hope that God will giue the like blessing to the next Parliament, and in his good time establish a good pollitick ciuill estate amongst you.

* * * * * * *

Consider also the goodnes of God in preseruing all shippes belonging to these Ilands so as none haue beene cast away neither going nor comming: true it is that this last yeare 1619 a ship was cast away, not going nor comming but ryding at anker in the harbour.[1]

My heart giueth me, that among other sinnes, the abominable sinne of Drunkennesse, that aboundeth among you euery shipping time, did much favour the bringing of that iudgement vpon her, to admonish some to bee no longer Bawds to Drunkennesse by sending over so much Aqua vitæ. . . In *Summerset* you know how one died suddainly with drinking himself dead drunke.

Also in the Towne at S^t Georges, a man of *Summerset* drunke himselfe dead drunke, and beeing by a *Coroners Inquest* found guilty of his owne death, was by the commandement of Captaine *Butler* your Gouernour, buried in the highway with a stake driuen through him, by them in whose company he dranke himself dead. Each of them hauing a paper on his backe with this superscription.

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[1] An allusion to the blowing up of the 'Sea Flower,' see vol. i. p. 287.

These are the companions of him which killed himselfe with drinking.

Two of the most notorious of them were punished, the one whipped at the Whipping Post, the other (because he was a souldier) did ride the Cannon, shot off full charged, which did shake him terribly.

Forget not the Boats of Summerset that were ouer-turned with the keele vpward, and some of the men drowned, because they that should guide them, were troubled in their braines with *Aqua vitæ.*

Let not the hand of God which lay heauy vpon you in Captain *Tucker's* time be forgotten, when the rats did abound, and goe by sea, from Iland to Iland, so as no Iland was free, but all were like so many Coney-warrens: I say they went by sea from Iland to Iland, because fishes haue at diuers times been taken three leagues off at sea, with Rats in their mawes, which sheweth plainly that the Rats did swim, and were snapt vp of the Fishes.

Consider what a plague of God they were vnto you both within dores and without: within they devoured your Corne and other prouision of foode, and your cloathes and shooes (as myselfe has good cause to remember:) without, they devoured your corne by scraping it out of the ground, when it was new set, the grains which were thrust in so deepe as they could not scrape vp (*dyed?*) vntill God in mercy hearing our poore prayers, tooke them away, on the sodaine in three or foure dayes. I mention the time, because I tooke good notice of it.

As soone as the Rats were destroyed wild Cats, that were neither seene nor knowne to be in any such aboundance, came marching out of the woods, to your houses six, seauen, or eight in a company: then it was in euery bodie's mouth, that the Cats had destroyed the Rats, and some said that the coldnesse of the Winter killed them. I remember indeede that we had a very colde time a little before they were destroyed, which, (I am persuaded) God in mercy did send for the killing of them, nor (as some doe) to the Traps, nor to the ruinating of the Islands with fire; and take heede that your vnthankfulnes bring them not againe, or some other plague as bad.

He concludes, after a few more pious exhortations,

Yours, as his owne

LEWIS HUGHES.

To the Reader.

Christian Reader, let this little taste that I haue giuen thee of the goodnesse of God towards the Summer Ilands satisfie thee for the present: ere it be long thou shalt haue a larger relation thereof, written by Captaine Nathaniel Butler now Gouernour of the said Ilands.

APP. III.

This relation was, perhaps, used by Smith,[1] but the Editor has not succeeded in finding a copy of it.

The pamphlet is followed by 'Questions and Answers concerning the keeping holy of the Sabaoth day, and publick exercises of Religion,' and by some forms of prayer, in all extending to 26 pages. This catechism has nothing in common with either the Church Catechism or the Westminster Catechism, and contains nothing which indicates divergence from the Church of England, or the adoption of a Presbyterian discipline. Its theology may perhaps be judged of by one or two extracts :—

Q. How many sacraments are there?
A. Two. Baptisme and the Lords Supper.
Q. What is Baptisme?
A. Baptisme, is a seale of the euerlasting Couenant of Grace, that God hath made with his elect.
Q. How ought it to be administered?
A. With water (by a lawfull minister) in the name of the Father and of the Sonne, and of the holy Ghost.
Q. What is the Lords supper ?
A. The Lords supper is a sacrament ordained instead of the Paschall Lambe to represent Christ and all his benefits, now in the time of the Gospell, as the Paschall Lambe did in the time of the Lawe.

* * * * *

Q. What manner of signe is the Breade ?
A. Not a bare signe, but such as (by vertue of the wordes of Institution) together with it is conuayed Christ and all his merites to the worthy receiuer. Therefore S^t Paul calleth the bread, the communion of the body of Christ. 1 Cor. 10. 16.
Q. Doth the Minister when hee giueth the Bread and Wine, giue Christ also with the bread and wine ?
A. No. The Minister giueth but the Bread and wine God doth at the same time by his Spirit offer vnto our Faith and in truth doth giue Christ vnto vs, and Christ himselfe doth then also offer, and giue himselfe and all his merits to the worthy Receiuer.

* * * * *

Rev. Lewis Hughes was also the author of some theological works, not particularly connected with Bermuda.

(1) A Dialogue or Conference between a Country Gentleman and a Minister of Gods word about the Booke of Common Prayer.

of which a confutation, 'Published by Authority,' appeared 1641.

(2) Certaine Grievances well worthy the serious consideration

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[1] See vol. i. p. 146. N.B. may as well be Nathaniel Butler as Nathaniel Bernard.

of the Right Honourable and High Court of Parliament. Printed *Anno Dom.* 1640. 4° pp. 18.

(3) Signes from Heaven of the Wrath and Iudgements of God ready to come upon the Enemies and Persecutors of the Truth and of the true professors thereof in this Land, if they be not prevented by true Repentance.

Whereunto are annexed examples of most fearful iudgements of God, upon Churches in time of *Divine service*, and upon Sabbath breakers, and upon such as have reviled the Protestants that are truly zealous of Gods glory, calling them *Roundheads* in reproach and derision.

Also, the utter ruin and downfull of the Papists, and their Ghostly father the Pope and Prelates.

Set forth by *Lewes Hughes* minister of Gods word.

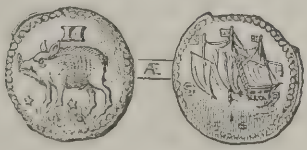
When thy judgements are in the earth the Inhabitants thereof ought to learn righteousness.

London Printed by T. P. and M.S. in Goldsmiths Alley 1642.

Among the physical judgments recorded are the fall of a meteorite in Berkshire, April 9, 1628; two pieces weighing 18 lbs. and 14 lbs. respectively were found. Another on the 4th August, 1642. A church at Withcombe, in Devonshire, struck by lightning during Divine service, with very destructive effect, October 21, 1638. Another in the parish of Anthony, Cornwall, Whitsunday, 1640.

It refers as a sign to a blazing star in 1618.

The absence of any allusion to the currency of the plantation in the preceding letter confirms the opinion expressed in vol. i., that the hog money never had any extensive circulation. Having, however, given cuts of the only types hitherto known, the editor is now enabled, by the kindness of the editor of the 'Numismatic Chronicle,' to subjoin one of a new type, having the current value of 2*d*., lately found.



IV.

Liturgy of Guernsey and Jersey.

APP. IV.

Having in vol. i. advanced an opinion respecting the liturgical changes introduced by Captain Nathaniel Butler, in 1620, which is not borne out by an anonymous contemporary History of Bermuda, since examined,[1] the Editor is bound to furnish to those interested in this question the means of correcting their judgments. The MS. in question, if not written by Captain John Smith himself, as the Editor inclines to believe, was certainly known to and used by him. This will be placed beyond dispute by a few parallel passages:—

Smith, 1623.	Sloane MS.
Master More thus finding those three men not onely well and lusty, but well stored with diuers sorts of prouisions, as an acre of corne ready to be gathered, numbers of Pumpions and Indian Beanes, many tortoises ready taken. I. p. 72, Smith, lib. 5, p. 177.	Thes newe guests being thus come in, and findinge their three resident countrymen not only aliue and lustye but well stored wth diuers sortes of Prouisions, as an acre of corne ripe, and ready for the gatherer, numbers of Pompions, Indian Beanes, many tortoises ready taken. . . MS. p. 17.
In this ship was brought the first Potatoe roots, which florished exceedingly for a time, till by negligence they were almost lost all but two cast away roots, that so wonderfully have increased, they are a maine reliefe to all the Inhabitants. I. p. 75, Smith, lib. 5, p. 179.	In her wer first brought into thes partes, certaine Potatoe rootes sent from England, the which being planted and flourishinge very well wer by negligence almost lost: at last by a lucky hand againe reuiued from two cast awaye rootes. They have since increased into infinite store and serve for the present for a maine reliefe to the inhabitants. MS. p. 27.
In the month of March, a time most subject of all others to such tempests; on a Friday, there went seuen in a boat of 2 or 3	Upon a Fridaye morninge, in a March (the moneth aboue all others apt to produce such effects) and the yeare 1615 one

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[1] Sloane MS., British Museum, No. 750.

tunnes to fish. The morning being faire, so eager they were of their iourney, some went fasting, neither carried they either meate or drinke with them but a few Palmate berries. I. p. 81, Smith, lib. 5, p. 182.	Andrew Hilliard wth six more able and strong bodied men, in a bote of 2 or 3 tunnes went out to sea to fish: and so eager they wer on the voiage, that neither a breakfast is made before they went, nor any other victualls carried along with them, saue only a few Palmitoe berries. MS. p. 56.

These coincidences can be multiplied to any extent. It is not intended, however, to discuss here the authorship of the MS. history, which the Editor hopes to have a future opportunity of doing in publishing the work; they are only produced to prove that it is an original document, used by Smith, if not actually his own, and may therefore be accepted as of equal authority with the quotation from the 'History of Virginia' by that author, heretofore relied on.

After relating Governor Nathaniel Butler's proceedings in relation to his two Dutch visitors, and his activity in measures of defence (i. p. 151), the MS. proceeds:—

Neither did thes martiall employments so wholly take up the Gonernour, but that he also found time to bestowe his thoughts vpon the settlinge of other matters: and in particular concerninge the Church affayres, perceivinge that neither of his two ministers would by any means subscribe nor vse the Booke of common prayer or Liturgie of England; and that not only soe but were also different and in no good and fit agreement betweene themselves, in the forms of administration of the sacraments and marriage, y^{e} w^{ch} differences though they wer nothinge substantiall yet many of the common people wer therwth troubled and disquieted; some beginning to question the validity of them, others to growe into factioning and disputes w^{ch} of the two did best: and many of the worst sort to make a scoff and iest of both, he found that it was time if it wer possible to to reduce them to some vniformitie: but dispayreing to bring them to that here, w^{ch} all the bysshops in England could not doe ther, he at last bethought himselfe of the Liturgie vsed in the Ilands of Gernsey and Jarsye, y^{e} w^{ch} being of his Maiesties dominions and by him tollerated ther, he conceiued would not be ill taken if (for y^{e} time) he putt it in practice here: being alsoe in good hope that his Ministers might be both of them brought to y^{e} vse of it in respect that all theis particulars wer therein omytted, at w^{ch} they took so much exception, and stumbled at. Callinge them both at once therefore priuately vnto him, he told them that he was verye sory to find them in noe fuller consent one wth another in the vse of y^{e} Church service, and in especiall in the forme of the sacraments and marriage: hee graunted indeed and knewe well enough that their dissensions wer noethinge essentiall: yet could they not but proue very scandalous and offensiue, as well to some in England as to most of yᵉ Inhabitants here: In England it would be obserued how that beeing but two of them only together, and so far remote frō their country that yet the Prouerbe might be verefied vpon them —So many men so many minds, besides it was not vnlikely but that the hearinge of it would occasion some such iniunctions from thence as would displease them both. As for the people here they well knewe how ill the effects wer, that this ther disvnion had already bred among many of them, and yᵉ wᶜʰ wer likely euery day to growe worse and worse. He had bethought himselfe therfore of a way and meane to cure this ill, yᵉ wᶜʰ he doubted not would proue very acceptable to themselues also; and it was by propoundinge the punctuall vse and practice of that forme in yᵉ vse of sacraments and marriage wᶜʰ was vsed in his Maiesties Dominions in Jarsye and Garnsye: being one and the very same, wᵗʰ that of the french Protestants, thoes of the Vnited Prouinces and euen Geneua itselfe, this was it that without all inouation and alteration he would haue them for yᵉ time to come to vse here, and this was that wᶜʰ he hoped would quench and make vp all the infectious heats and dangerous breaches that otherwise might ensue. And truly, it seemed that this proposition had a peaceable constellation in aspect at its birth; for noe sooner was it borne than gladsomely receiued by both the ministers, who instantly promised the Gouernour all conformitie in the acceptance and vnitie in the practice. Whereupon he himselfe translating it verbatim into English out of a French Bible wᶜʰ he brought over with him: he caused the elder minister to begin the vse thereof at the administration of the Lords supper at Sᵗ Georges vpon easter day next followinge; at what time Himselfe many of the Counsell, the officers, and a great auditorie communicated together: a speech by waye of introduction being also deliuered by the minister out of the Pulpitt, about the receipt of it, and the ground and causes thereof expressed: and this Forme was generally obserued throughout the whole Islands (yᵉ Gouernour enduring noe variations in the partikulars of the Sacraments and mariage,) all the time of his Gouernment ther, and for aught I knowe, soe continueth vnto this daye.

The edition of the Bible printed at La Rochelle, in 1616, was the last published before Captain Butler's appointment,[1] and the most likely for him to have consulted. The 'Prières Ecclésiastiques' at the end are, however, the same as those of the Geneva Bible of 1588; they are not included in the Liturgy of Guernsey and Jersey, as printed by Berry (vol. i.); nor does the History of Virginia record that Butler had recourse to a French Bible, which would have furnished a clue; and hence the misconception as to the nature of his reforms, which the Editor has led his readers into. APP. IV.

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[1] La Bible que est toute la sainct escriture du vieil et nouveau Testament, autrement l'ancienne et la nouvelle Alliance. Le tout reveu et confere sur les textes Hebrieux et Grecs par les Pasteurs et Docteurs de l'eglise de Geneve, avec un nouvel indice par lieux communs. Item les Psaumes et cantiques avec les prieres ecclesiastiques. A la Rochelle 1616, 8vo.

The Communion Service (' La maniere de celebrer la Saincte Cene '), after rubrical directions, begins :—

> Escoutons comme Jesus Christ nous a institué sa saincte cene, selon que S. Paul le recite au chapitre onzieme de la premiere Epistre aux Corinthiens. J'ai recu, dit-il, du Seigneur ce que ie vous ai baillé. C'est que le Seigneur Iesus en la nuict qu'il fut livré, print du pain : et apres avoir rendu graces le rompit et dit : Prenez mangez : ceci est mon corps que est rompu pour vous : faites ceci en memoire de moi. Semblablement apres avoir soupé, print le coupe, disant, Ceste coupe est le nouveau Testament en mon sang : faites ceci toutesfois et quantes que vous en boirez en memoire de moi . .

Then follows an exhortation of considerable length, and the rubrical directions following are :—

> Ce fait, les ministres distribuent le pain et la coupe au peuple, ayant advertit qu'on y vienne avec reverence et par ordre. Cependant on chante quelque Pseaumes, ou on lit quelque chose de l'escriture, convenable a ce que est signifié par le sacrement.
>
> En la fin on vse d'action de graces, comme il a esté dit.

The Marriage Service, or ' La Forme de celebrer le mariages,' commences with an exhortation, and substitutes for the formula of the English Marriage Service—' I, *N*, take thee, *M*,' &c., the following :—

> Vous *N* confessez ici devant Dieu et la saincte congregation que vous avez prins et prenez pour vostre femme et espouse *N* ici presente, laquelle promettez garder, en l'aimant et entretenant fidelement, ainsi que le devoir d'un vrai et fidele mari est à sa femme, vivant sainctement avec elle, lui guardant foi et loyauté en toutes choses, selon la parole de Dieu et son saincte evangile.
>
> *Respond* ouï.

V.

Mr. Bonneille's Book.

APP. V.

The very interesting volume of 'Extracts from the Records of the Virginia Company,' published by Mr. E. D. Neill,[1] gives a clue to the work recommended to the Bermuda Company by James I. (see vol. i. p. 120). Under the date of October 21, 1621, he furnishes the following extract:—

> Mr Deputy informed the companie of the great paines that Mr Bonnell the Frenchman, M^r of the Kings silkwormes at Oakland had taken, in penninge a Treatise in French concerninge the orderinge of Silkwormes and making of silk, w^{ch} treatise for that it might be of speciall use unto the Planters in Virginia, he therefore moued this court would please to recomend it to some to translate it into English, and afterward that it might be prped,[2] and being approued it might be printed, w^{ch} the court assented vnto, and praied Mr Deputy to see it Doune, and that a good number of the said Booke might be sent unto the Colony in Virginia by the next shippe that goes (p. 258).

The date shows that the letter in vol. i. supposed to have been addressed to Daniel Tucker in 1616, was in fact addressed to his successor Butler in 1622. Probably the Frenchman mentioned by Smith (vol. i. p. 75) as having arrived by the 'Martha,' in 1613, to make trial of the mulberries, was in some way connected with Bonneille.

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[1] 'History of the Virginia Company of London, with Letters to and from the first Colony, never before printed.' By Edward D. Neill. Joel Munsell, 82 State Street, Albany, N.Y. Small 4to pp. 432.

[2] *Sic.* The abbreviation is not obvious.

VI.

Laws passed 1632–1649.

APP. VI.

In the Schedule of Laws enacted by the Bermuda Company, given in to the Council of State among other documents in 1684, are the titles of the following, which were passed during those years for which the Colonial Records are defective, and are not referred to in the text.

20 June, 1632	Law for allowing £100 per annum to ministers abrogated.
17 June, 1635	Penal law against Destroying of Timber.
25 May, 1636	Law to prevent Tenants abusing their Landlords.
,, ,,	The land that shall be exposed to sale to be first offered to the Company.
,, ,,	Forfeiture and penalty of making up Tobacco deceiptfully.
,, ,,	Tennants on Halves to allow Landlords half the benifit of provisions by them sold.
,, ,,	Planting Trees.
,, ,,	A storehouse to be built.
23 Nov. 1636	Law for continueing Governor and Deputy for three years only, abrogated.
22 Nov. 1637	Planters not admitted buying lands to pay a moyety as Interlopers (*sic*).
,, ,,	No man to be admitted to shares until the first debt be paid.
13 June, 1638	Laws for guiding recoverers of wrecks.
,, ,,	How the Governor and Sheriff are to accompt in this and all other respects.
,, ,,	Mr ffarrars gift for Breeding of Virginia children.
3 July, 1639	Law against Transport of Cedar.
27 Nov. 1639	Lands endebted to the company to be sequestred, and time given to register Deeds.
Feb. 164⅞	Law against questioning Titles where the seal hath passed.
,, ,,	The members of the company not to be prohibited Transport of Cedar, they obtaining licence.
,, ,,	Ships on the coast and victualling to pay Proportions of Gunpowder.
26 Dec. 1649	No share in Hambleton Tribe to be passed away without the overplus land.

The whole number of titles is 107. The others belong to laws which are more or less fully noticed in the text.

VII.

Identification of Sir Nathaniel Riche, Kt. (Vol. i. p. 578).

APP. VII.

The will of Robert second Lord Riche of Leeze, father of the first Earl of Warwick and grandfather of the second Earl (High Admiral under the Commonwealth, and Governor of the Bermuda Company), makes mention of a 'base son,' Richard, the common phrase of the day for illegitimacy. This son is distinctly stated in Wotton's 'Baronetage of England,' 1741, to have been the father of Sir Nathaniel Riche, Kt. and of Margery Riche. Sir Nathaniel Riche in his own last will, proved in 1636, mentions three sisters, viz. 'his sister Wroth,' probably this Margery; his sister Browne, and his sister Jane, the wife of Thomas Grimsditch, who was a nephew of Secretary Sir John Coke. He bequeathed six shares of land in Bermuda to the Rt. Hon. Edward Earl of Manchester, in trust to be seized over to such child or children of Mr. Thomas Grimsditch and Jane his wife as he should consider to be most worthy. The child so selected was the eldest daughter, Frances, wife of Richard Hunt. He also bequeathed four shares for a school endowment. The acknowledged relationship subsisting between Sir Nathaniel Riche and the Earls of Warwick and Holland; the high respect in which he was held, his social position as a member of Parliament from 1614 to 1629, and his evident wealth, all concur to prove that the misfortune of his father's birth conveyed no slur to him or his sisters. Richard, 'called Riche,' was clearly born out of wedlock, and could not succeed to his father's title of Riche of Leeze; but what romance or mystery lies behind this circumstance we have no means of ascertaining.

Colonel Nathaniel Riche, appointed by the Council of State to command the Militia in Scotland in 1651, whose name also occurs at p. 41, was descended from a brother of Lord Chancellor Riche, and consequently but remotely related to his contemporary, the second Earl of Warwick. He married a sister of John Hampden, and his son was created a Baronet in 1675. This second Sir Nathaniel Riche is often confused with the first. The reader will find in 'Notes and Queries,' Series X, for July 1878, a complete elucidation of the case by Mr. James Roberts Browne.

VIII.

Supposed residence of Edmund Waller, the Poet, in Bermuda before 1651.

APP. VIII.

The author of the earliest Life of Waller we have been able to trace, prefixed to the eighth edition of his Poems, published in 1711, observes, 'We have been informed, but with no certainty, that he was a proprietor of the Summer Islands in America: but whether he was so or not, we cannot learn that he ever went thither from France as some have imagined from that copy of verses "To Sir William D'Avenant, upon his two first books of Gondibert written in France [before his voyage to America[1]]." These also suppose he wrote the Battel of the Summer after his return, by the particular description he gives of its product and situation: but we are apt to believe he never was there, or if he was, he wrote it before.' The biographer of 1711 is much more likely to have been rightly informed than the Abbé Raynal and others of later date who take his residence for granted. It is, in fact, demonstrable that the 'Battel of the Summer Islands' was written before any visit to Bermuda, and there is not the least evidence that he ever visited the Islands after its publication.

Waller was committed to the Tower on a charge of treason in July 1643. He petitioned Parliament in September 1644 that, 'in regard of the free and ingenuous confession and discovery made upon promised favour, the House will hold his life precious; that £10,000 may be accepted out of his estate, and if he be not held worthy to serve the House, and spend his life in their glorious cause, that they would be pleased to banish him to some other part of the world' (C. J. iii. 636).

The House resolved, 23 Sept., That M^{r} Edmund Waller shall be put to the fine of £10,000, and banishment, and his life saved.

21 Oct. Order for his discharge read a first and second time. 26 October sent up to the Lords for their concurrence. 4 November the ordinance that he should have liberty to go abroad

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[1] These latter words do not occur in subsequent editions, and were probably inserted in error by some early editor.

APP. VIII. with a keeper was passed, and as is very well known, he went to France, where he resided chiefly at Rouen until the revocation of his sentence by favour of Cromwell in Novem. 1651.

The 'Battell of the Summer Islands' is printed in the first edition of his Poems, published in 1645. What we know of the means of communication with Bermuda at that time, makes it impossible that between November 1644 and the date of its appearance, he could have gone to France, and thence to the Island; but in fact the lines—

Oh how I long my careless limbs to lay
Under the plantain's shade: and all the day
With amorous airs my fancy entertain,
Invoke the Muses, and improve my vein!

are tolerably positive proof that the plantain's shade was nowhere within reach; while the four following lines are equal evidence that the poem was written before the marriage of Sacharissa, Lady Dorothy Percy, to Robert Sidney, afterwards Earl of Leicester, which occurred in 1639, when he was about 34 years of age.

No passion there in my free breast should move,
None but the sweet, and best of passions, Love.
There while I sing, if gentle Love be by,
That tunes my lute, and winds the strings so high;
With the sweet sound of Sacharissas name
I'll make the listening savages grow tame.

The visit of Edmund Waller to Bermuda is then a ghost which, having haunted literature for two centuries, may now be regarded as finally laid.

IX.

APP. IX.

Since the printing of pp. 58–59 it has been pointed out to the Editor that a List of the Books thought suitable for presentation to so small a community as the colonists of Bermuda in the reign of Charles I. possesses some literary interest in itself, irrespective of any probability of their recovery, and is worth preservation as a monument of the times. Their titles are therefore given here in full, as far as they can be identified, correcting some of the clerical errors. They are arranged for convenience in alphabetical order, the numerals showing to whose donation they belonged :—

1 Given by M^{r} Gabriell Barber 1635 and 1643.
2 Given by M^{r} Michael Sparkes 1639.
3 Given by the Lord Viscount Mandeville 1640.
4 Given by M^{r} John Cliff in 1640.
5 Given by M^{r} Gabriell Barber, and sent over by M^{r} Goulding w^{ch} were received the 29 August 1650.
6 Given by Rev Will. Goulding by his last Will 1650.
7 Given by M^{rs} Virginia Ffarrer 1652–3.

5 *Ainsworth* (*H. A.*), On the Books of Moses, 1616, 4to.
Alstedius, Admiranda Mathematica.
3 ,, Philomela, 8vo.
Ambrosii Horæ.
3 *Answorth*, Upon Genesis and Exodus.
,, ,, Numbers, Deuteronomy and Salune, 1616.
,, His Annotations on the 4 Books of Moses, fol.
5 Aristotelis Dialecticam.
5 ,, Rhetorica.
3 Arminij Disputationes et Orationes, 8vo.
3 Arnobius Adversus Gentes et Ambro. Hom. fol.
5 Articles the 39 Defended.
2 *Attersill*, On the Epistle to Philemon, 1633, fol.
5 *Babington's* Works, fol.
Bacani? Barani? Loci Communes, 8vo.
3 Baronii Annales Ecclesiasticæ, 2 vols. fol.
3 Belarminii Explicatio Doctr. Christ. 8vo.
2 *Bentham*, Saints Society, 4to.
5 *Bernard Richard*, Upon the Revelations, 4to.
3 Biblia Sacra Tremellii et Junii, 1585.[1]
3 Biblia Latina Gallica.

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[1] Written Bibilla.

2 *Blundevile*, His Exercises *Q.* The fower Chiefest Offices belonginge to Horsemanshippe, 1580, 4to.
3 *Bolton*, Discourse about the State of True Happiness and Walking with God, 1625, 4to.
Booke, a Paper, fol.
5 *Bridges*, Defence of the Government Established in the Church of England for Ecclesiastical Matters, 1588.
3 *Burges*, Baptismal Regeneration of Elect Infants, 1629, 4to.
3 Calixini, Dictionarum, fol.
3 Caluini, Harmonia, fol.
3 ,, Institutiones, fol.
3 ,, Opuscula, fol.
2 Calvinus, in Danielem Prophetam, fol.
3 ,, in Isaiam et Iremiam, fol.
3 ,, in Quinque Libros Moses, fol.
3 *Calvin*, On Hosea, 4to.
3 Calvesii Chronologia, 4to.
2 Chemical Phisicke, 4to.
3 Chronicon Carionis, pts. 1–2–3, 2 vols. 8vo.
3 Chrysostomi Opera, 5 vols. fol.
3 Ciceronis Orationes, 3 vols. 4to.
1 *Cicero's* Works, fol.
3 Clavis Apologetica, *Q.* Novi Calend. Rom. Apologia ? 4to.
3 Conciliorum Omnium Summa, fol.
5 Conference of Laud and Fisher.
3 *Cooper, Thos.*, Thesaurus Linguæ Rom. et Britt. 1565, fol.
3 *Cooper*, On the Romans, 4to.
1 *Cotton, Clement*, Concordance to the Bible, 1631, fol.
3 ,, Another copy, fol.
3 *Daniell*, The First Part of the History of England, 1613, 4to.
3 Dauenantius, Expositio in Epist. ad Collos. 1627, fol.
3 Dictionary A. of the English and French Tongue, fol.
3 *Dodd* and *Cleaver*, On Proverbes, 1608, 4to.
2 *Downhame*, Christian Warfare, 1608, 4to.
5 ,, Lectures, 1608, 4to.
3 *Drax*, His Calliepeia, 1607.
5 Erasmus, Adagionem Chiliades Tres, fol.
3 *Erasme*, Annotationes in Novum Testam.
7 *Farrer, Mrs. Virginia*, Virginia's Health and Welfare.
7 ,, Mapp of Virginia.
7 ,, A New and Rare Discourse touching Silk Wormes, 1653.
1 French History, fol.
2 *Fox*, On his North-West Passage, 1635, 4to.
3 Glossa Illerica ? in Novum Testamentum, fol.
2 *Gouge*, On the Lords Praier, 4to.
6 *Grimstone, Edw.*, Imperial History, 1623.
2 *Gunter*, His Workes, fol.
4 *Hakluyt*, Voyages and Discoveries of the English Nation, 1598, fol.
3 *Hall, Dr. Joseph*, His Treatises, 1625.
5 Harmony of the 1st Book of Samuel, fol.

[3] Hebrew Bible.
,, Grammar (see *Martinis*).
[3] ,, Psalmes, 8vo.
[5] *Herodotus.*
Heiron, *Q.* Jerome ; see Samuel, fol.
[3] *Hooker's* Ecclesiastical Polity, 1617, fol.
[3] *Homer's* Iliads in English, fol.
[5] Homilies, fol.
[3] *Horace*, 8vo.
[3] *James King*, His Workes.
[3] *James*, Of the Corruption of the Fathers, *Q.* Jamesius, Treatise of the Corruption of the S. S. by Prelates of Rome, 1611.
[3] *Josephus*, Antiquities of the Jews, fol.
[3] Justini Historia, 8vo.
[3] Lipsius, Epistolarum Selectarum Chilias, 8vo.
[3] Livij, Historia Rom. fol.
[1] *Luther's* Postills, *Q.* fol.
[3] *Margery*, Comentaries, 8vo.
[3] Marloratus, Enchiridion, 8vo.
Martini's Grammatica Hebræa, 1580.
[1] *Martyr, Peter*, Commonplaces in English, 1576, fol.
[2] *Mercator's* Atlas in English, 1576, fol.
[3] *Minshoeus*, Dictionary, 1617, fol.
[3] Morenòes, De Religione, 8vo.
[3] Nerzalias, Sive Thesaurus Ciceronias, fol.
[3] Ovidii, Metamorphoseon, &c. 8vo.
Pareus in Hoseam cum Aliis Opuscula.
[3] *Pemble's* Sermons, *Q.* Of Grace and Fayth, 1635, 4to.
[2] *Perkins'* Cases of Conscience, 4to.
[3] ,, In Galatas, 1603, 4to.
[3] ,, In Hebreos, 1603, 4to.
[3] ,, On Jude, 4to.
[3] Picolhomini, Vniversa Philosophia de Moribus, 1601, 8vo.
[1] *Platoes* Workes, Greek and Latine, fol.
[3] *Plutarch's* Lives in ffrench.
[3] ,, Opera, vols. 3, 4to.
[1] ,, Workes, Greek and Latin, vols. 2, fol.
[5] Poltie, Sp. . . de Keckermani.
[3] Polyanthæa Nova, fol.
[2] *Prynne*, His Anti-Arminianism, with other Books, 1630.
[3] ,, Of Regeneration (*Q.* The Perpetuity of a Regenerated Mans Estate, 1626), 4to.
[3] Puginni, Thesaurus, 8vo.
[3] *Pulton's* Abridgement of States of England, 1606.
[3] *Rastell*, Of the Statutes (*Q.* Exposition of Certain Difficult and Obscure Wordes and Termes of the Lawes of our Realme, 1579), fol.
[3] *Rawlegh, Sir Walter*, History of the World, fol.
[3] *Richardson's* Logick, 4to.
[3] *Roger* (*Q.* Tractatus), Seven Treatises, 1550, fol.
[5] Sabbath, The Doctrine of the, 4to.

APP. IX.

Sadeelij (Q. Sadoletus), Opera Theologica, 1607, 4to.
5 *Samuell Hieron's* Sermons, fol.
2 *Sandys, Sir E.*, Europæ Speculum, 1632, 4to.
3 *Seneca,* His Workes in French, fol.
3 ,, Opera, 8vo.
Smith's Sermons
5 Sophocles' Tragedia, fol.
3 Stapletonæ, Promptuarium Morales, 1617, 8vo.
3 Stubbij ? Noctes Atticæ, 8vo.
3 *Terence*, in English, 4to.
3 Theatrum Terræ Sanctis, fol.
Thesaurus, vide *Cooper, T.*
6 Thomæ Aquinalis, Summa Totius Theologiæ.
5 *Thucydides*, Of the Peloponesian Warre, fol.
Tobalem en tous les Opuscules de Pultarque (*sic*), 8vo.
3 The Trials of Witt, 4to
1 *Turner's* Herball, 1551, fol.
1 *Tyndal's* Bible and Prologues, fol.
3 Venetis Historia Interdicti, 4to.
5 *Willett's* Hexapla in Exodum, 1608, fol.
3 ,, On the Romans, fol.
3 ,, Synopsis Papismij, 1632.
5 ,, Another copy, fol.
5 *Wilson's* Christian Dictionary,
3 *Wotton's* ffaith, 4to.

X.

Witchcraft in the Somers Islands, 1650–1696.[1]

APP. X.

The prevailing delusion of the seventeenth century, which, under the stimulus and direction of Matthew Hopkins, filled England with such unspeakable horrors for some twenty years, commencing about 1645, took form and substance in the Somers Islands very shortly after that year, without any apparent provocation, concurrently with the appointment of Captain Josias Fforster to his last term of office as Governor. That he was immediately responsible for it cannot be proved. It is not at all improbable that new arrivals from the mother-country, or the Scotch prisoners about this time sold into servitude in Bermuda, may have brought the superstition with them. But it is certain that he lent himself very readily to it, and took an active part in the persecution of many harmless old women and half-crazy men.

For nearly thirty years, notwithstanding the Instructions of Churchwardens and Sidesmen to present all sorcerers, enchanters, charmers, figure-casters, or 'whoever hath or seemeth to have any consultation with the divell,'[2] we have no example of any such presentment either by Church officers or by Grand Juries. But at the first of the assizes presided over by Fforster of which there is a record, we have the travesty of judicial enquiry, and the worst features of judicial cruelty, fully developed. It deserves remark, however, that there is no evidence of misguided zeal in the clergy as having fomented this delusion; as it subsequently did in New England, although a clerical hand must surely have framed the Confession of John Middleton (p. 610). The Rev. Nathaniel White was still in banishment at Eleutheria, with most of his Independent followers, including the aged Copeland. There is nothing to connect the two Royalist clergymen, Hooper and Viner, with the movement, which was of Puritan origin, as appears clearly by the part taken in it by Stephen Paynter, William Wilkinson, and others of that party.

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[1] The greater part of this Appendix was printed in the 'Archæological Journal,' vol. xxxii. 1875.

[2] Vol. i. p. 320; compare with Deut. xviii. 10–11.

APP. X.

These trials form an episode in the social history of the Plantation which is singularly characteristic of the age; and as Fforster is responsible for all the worst of them, they may here be brought together in a group, in connection with his term of office, although the last of them belongs to a period so late as 1696, when the colony had passed from the Bermuda Company to the Crown. The entries mostly occur in MS. vol. iii., which is unfortunately in a very bad state of preservation.

1. *Jeane Gardiner*, 1651.

An assize and generall *Goale deliuerie* held at S^t Georges from the nineteenth *daye of Maye to the 22nd daye* of the same month, 1651.[1] $Capt^n$ Josias fforster Governor &c.

(1) The Jury for our Soveraigne Lord the kinge Doe present Jeane Gardiner the wife of *Ralph Gardiner* of Hambleton tribe for that y^e said Jeane on or about the 11th day of Aprill 1651 feloneously deliberately and malliciously did saye that she would crampe Tomasin a mullatto woman in the same *tribe*, and used many other threatenninge words tending to the hurt and *injurie* of the said mullatto woman, and within a while after by practice and combinason with the devill felloneously did practice on the said mullatto the diabollicall craft of witchcraft, insoemuch that the said mullatto was very much tormented, and struck blind and dumb for the space of twoe houres or thereabouts, and at divers tymes in other places did practice the said devilish craft of witchcraft on severall persons to the hurt and damage of their bodyes and goods Contrary to the peace of our Souveraigne lord the Kinge his crowne and dignitie.

To w^{ch} indictment she pleaded not guilty but beinge the grand inquest found a trewe bill and for her further triall did put herselfe uppon God and the Countrey, wch beinge a Jury of 12 sworne men did find her guiltie, whereuppon the sentence of death was pronounced upon her, and accordingly she was executed on Munday the 26th day of this instant May at S^t Georges before many spectators.

(2) The proceedinge against this woman was longe and teadious, by reason of many accusacons The Gouvenor and counsell was very carefull in findinge out the trewth. They caused a jury of woemen to search her and one Goody Bowen wh was suspected: they returned as followeth. Havinge made diligent searche accordinge to our oathes we cannot find any outwards or innwards mark soe far as wee can p.ceave whereby wee can in conscience find them or either of them guilty of witchcraft, onely in the mouth of Goody Gardiner there is a blewe spott wh. being prickt did not bleed and the place was insensible but being prickt close by it it bled the wch wee leave to the $judgme^t$ of Phisitians. M^r Hooper and the chirurgions being appointed to viewe that spott the daye that she was to come to her triall and it was fallen away and flatt, and being

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[1] The words in italics are defective in the MS.

prickt it bled and it was knowne to be there 18 yeares, and for further triall she was tried and throwne twice in the sea. She did swyme like a corke and could not sinke. These signes and other stronge evidences in Court condemme her, yet neverthelesse shee would confesse noethinge att her death. Shee was demanded in Court if she could giue a reason why shee did not sinke. She answered that she did open her mouth and breathe but could not sinke.

(3) The names of the Jury of woemen appointed to search the bodies of Anne Bowen and Goody Gardiner:—

Mrs Ellen Burrowes
Mrs fflora Wood
Mrs Eliz. Stowe
Allice Sparkes
Eliz. Brangman.

And seven others whose Christian names only can now be read.

2. *Anne Bowen*. At the same assize.

The Jury for our Sovereaigne Lorde the Kinge doe present *Anne* the wife of Richard *Bowen* vppon suspicon of witchcraft, and for want of further evidence at present doe pray that she may be continued until the next assizes.

The court ordered that she should be continued in the good behaviour and to appear at the next assizes.

Mr Francis Watlington, Mr John Harnett, were her securities in 200lbs of Tobacco.

She appears by the preceding entry to have been indebted for this escape to the absence of witch marks on her person. The record of the assizes of the following October is imperfect and the name does not reappear.

3. *Elizabeth Midleton*, 1652.

The Jury for the keepers of the Liberties of the Commonwealth of England doe present Elizabeth Midleton of Sandis Tribe spinster[1] for that she in the month of September last past did use many cursed speeches against a young child age 9 months, of Anthony White's of Sandys Tribe afforesaid after which it fell into strange fitts. And by her combination with the Deuill did use that abominable Practice of Witchcraft upon the body of the child, and thereby did destroy yt contrary to the peace of the comonwealth of England and the dignity thereof.

The grand Inquest found this bill 'Ignoramus' and the Prisoner acquitt by proclamation.

The names of seven women that were warned to search her body are entered; but this step does not appear to have been actually taken.

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[1] The term seems to mean one who lived by spinning. We have it applied to another married woman (p. 627), Elizabeth Bedwell.

4. *Henry Ward*, 1653.

The Jury for the keepers of the liberties of the comonwealth of England do present Henry Ward of the Som^{r} Islands Planter for that he in or about the month of febuary last past in Ano 1652, not hauing the feare of God before his eyes, did consent with the Deuill to bewitch the Turkeyes of Thomas Atkin of the Islands aforesaid w^{ch} cast them into strong fitts so that they at last died by that diabolical practice, contrary to the peace of the comonwealth of England and the Dignity thereof.

Bill ignored, and the prisoner was cleared by proclamation.

5. *John Midleton*, 1653.

At a court held the 3rd of Maye 1653 at Georges Towne in the Som^{r} Islands for the Triall of John Midleton of Sandis tribe, were delivered in these attestations ags^{t} him as ffolloweth.

The examynation of John Midleton taken before Capt^{n} Josias Fforster Govñor of the said Islands by Anth^{o} Jenour Secretary April y^{e} 13th 1653.

John Midleton being accused for bewitching of a skotsman called John Makeraton, who then dwelt with Govnor Captain Josias Fforster answered that he was no witch nor had he any knowledge that way, nor had he done harm to the said Scot but good, for he had healed his legg w^{ch} was hurt at the catching up of calues that were lose. It being demanded further of Midleton whether he & the Skot did not fall out about gathering hogsmeat in his grounds he answered Yes, and he went to strike him and he turned to him agayne so they parted that tyme.

Being demanded if Midleton did ban or curse him & threaten him, the Skot answered no, for he could not remember yt and he said that he not being in perfect understanding was not able to be examyned at all tymes by reason of strange fitts that he was fallen into, the Gou^{r} Capt^{n} Josias fforster afford^{d} then thought it requisite *to enquire of certain* of his cuntrymen that best *could understand* him, what they had *herd the skotsman* Makaraton say about himselfe & Midleton, *who testified* as ffolloweth.

(1) Jeames Blake being examined upon his oath, sayeth that upon friday the — day of April 1653 wch was the daye that John Makarraton was brought to prison, he sitting downe upon the grounde by the prison door fell downe backward & grew so stiffe that they could not bend him in body legg or arme And he being brought into the prison came agayne to his senses & talked very discreetly & soberly & being offered victualls he did eate it, & gave God thankes, And after this he did relate unto him all the whole of the difference betweene Midleton & himself & how he came hurt on his legg, & how he fetcht hogsmeat, & how his present griefe and distraction came upon him by degrees: which was as followeth. Att first he grew solentary by the space of a fortnight & in the middle of thes solentary fitts, as he was in bed he saw a thing in the

shape of a man, black in culler, two severall nights, who sate upon him very heveyley & asked him if he would loue hym & he answered noe. I will loue God And on Satterday about noon he fell a roareing and cried out so to God: and after this he would not acknowledge anything that day. But at night, in a fitt, this deponent saith that he herd the Skott say I am terrified enough for Midleton's hogsmeat, & in that night he saith that he heard Makaraton as he was by hymselfe name the name of Midleton very often, and on the Sabbath day in the morning he being in his fitt said that Midleton came to strike him: & he went to strike him agen; & so he continewed in his fitts until afternoone that the people were ready to go to church. And then he herd him say that he was not there as a thefe or a rogue but because ye Lord's hand was upon him: and said that when Mr Stow badd the people depart & goe forth: he saw Midleton betwixt 2 hogsheads as they went, and he thought to goe and lay hands on him & then he saw him rush out amongst ye people. But when he came to himself he denied yt, a while after as they were talking in another roome he called to them & asked them what he was that they were talking about Midleton. Then they told him they were talking how he denied after he had told them *about striking* & then he called this declarant to him & *told him how* that he saw Midleton betweene 2 hogsheads.

(2) Alister Smith being examined the same tyme affirmeth on oath that this attestation above deliuered by Jeames Blake is the truth. And the said Aliston further attesteth that he being in prison he herd John Makaraton say (poynting to the gallows) that he should never be well untill he saw Midleton hanged upon the Gallowes. And after this in the night did here Makaraton say lookinge up Ah Ah Midleton art thou *come* to choake me & further saith not.

(Signed) JEAMES BLAKE,[1]
ALISTON SMITH.

(3) Mr John Stow Marshall affirmeth yt these attestators hath declared all these things before attested: or the substance of them to himself. And further saith that he tooke especial notice that after John Mokoraton had confest any thing about his prsent distraction or about Midleton he was worse tormented than before.

(Signed) JOHN STOW.

(4) A negro Boy called Symon being in prison, in another roome where this Makeraton was prisoner, he saw through a great hole in the wall a thing of a blacke culler come from towards the place wher he laye & ran so swiftly that he could not well tell the shape of it, which thing went out of the privy hole. Att that instant he heard the man give a thump & make a noyse which before he thinks was fast asleep.

(Signed) SYMON.

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[1] Nearly all the depositions are signed. Out of 37 witnesses, 16 seem to have written their names, 21 sign with a mark. This latter number includes all the female witnesses.

(5) Upon these and many clear grounds of suspition of John Midleton being guilty of witchcraft Captain Josias Fforster Govnor appoynted the severall men to search Midleton which follow.

Names of the Jury who weare appoynted to search the body of John *Midleton the* — of April 1653.

—— Willis	Peeter Lun	Henery Parkers
—— Bristow	Robert Powell	Thomas ——

who made report as ffth And do *affirm that* upon the search of Midleton's body they *stretched out* his body upon a chest And thereupon discovered first one teate or dugge about the biggness of a catts or bigger, wh teate or dugg was moyste & they say that Midleton confest that the moystuer yssued from that Teat They affirme further that right over against that *said* Teat or dugg, they found another yet not altogether so bigg or great as the other, wch had *no sign* of moystuer at present. They further affirme that they found on his body diuers suspitious markes & spots Blew in culler. They say further that because they desired to be better satisfied amongst themselfes they concluded to search each other, to see whether there might appear any such markes upon any of themselues, w^ch^ they did accordingly, but they affirm that they found not any, nor the likelyhood of any.

(6) The examinacion of Margery Tucker taken before Mr Stephen Paynter & Mr William Wilkinson the 13th of Aprill 1653, deliured upon oath.

Who saith that about August last being at the house of Samuell Whittney, and coming from thence homeward in the company of John Midleton & others, she heard the said Midleton saye that he was a Witch, repeating it severall tymes, that he had the priuate marks about him [inter anum et testem] & further saith not.

Signed wth the mke of MARGERY TUCKER.

(7) The examination of John Burch deliuered upon oath the same daye.

Who saith that about the tyme afforesd he being at the house of Captn Robert Pulford, there was then present John Middleton who at that tyme made over his estate by a deed of Guift This Examinate being called for a witness, and set his hand to the deed: he heard the said John Midleton say That Leiftenant White entended to question him for a witch And if he were hanged he should be never the better for what he had, and said, If I be a witch, it is more than I know, and he put downe his Breeches and showed a marke . . saying he had showed that marke to the Guvnor & to Mr Paynter & that yt was all the marke they could find about him. Further saith not.

JOHN BURCH.

(8) Thom Hess *and* Michel Burrowes *exam. before the* court *for the* Triall of John Makaraton the 4th of *May*

Who saith that after Midleton came out of the water [1] *and was taken* backe to prison, they being there with him asked him *what he could now* saye for himself: seeing he had ben also tried by water desierd him to confes the truth to them & they doe both *say* that Midleton told them that he was a Witch & that he knew yt not before: they affirmed also *that they* did *er*nes*t*ly perswade Midleton to discover other witches if he knew of any in these Islands. To which he answered that the wife of Thoˢ Stevenson was a witch, as badd a one as *any in the* world. And said also that Goody North was *a* w*itch he* feared, but did not positively accuse her to be a witch.

(9) The examination of Elizabeth Midleton wife to John Midleton: taken by Mʳ Stephen Paynter and Mʳ William Wilkinson Councellers, taken the 15th of Aprill 1653.

Who saith that in the tyme of her trouble she hath said that there is a witch amongst us. It was her husbande & not herselfe, that she suffered for his cause. And she hath said since her husband was sent to prison That they have taken a wrong hogg by the eare, all this while that they accused her . . *But now she declareth that* she hath no ground to accuse her husband to be a witch although she hath spoken thus of him in the tyme of her distemper, and further saith nott.

Signed with the marke of E. M.

ELIZABETH MIDLETON.

[Part of this abominable woman's evidence is grossly indecent.]

(10) The examination of Robert Priestley taken before Mʳ Stephen Paynter and Mʳ Wilkinson Councell April the 17, 1653.

Who saith that on Fryday last being the 15th of this instant he being removeing Mʳ Tucker's cattell in the evening in a peece of ground near to the house of John Midleton, he saw right oppositt agt the house a Black creatuer lye soe upon the ground (*sic*) in the shape of a catt but farre Bigger, with eyes like fier, and a tayle near as long as a mans arme And this examynate being some whitt daunted at the first sight, yet tooke courage & went upp close to yt *to looke* on yt. he only saw it move the head, and drawne his knife wth a resolution to stabb yt: as he lift up his hand and knife to strike at yt with *all his force he beinge* a strong *man*, *he found* he had *no pow*er to strike it. Att which this examinate was so amazed and affrighted that his hayre stood up right on his head, and he departeing from yt looked backe, & sawe the said creature turne the head and looked wishfully after this examᵗ, but he *ran* away & left yt: reporting the same to the seruant in his house, wth much feare. And further saith not.

(*Signed*) ROBERT PRIESTLEY.

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[1] This shows that Middleton, like Jeane Gardiner, was subjected to the ordeal by water.

(11) John Midleton being at the Barr, after *he was sent for out of the prison*, spake as followeth.

It being demanded of him by the Governor whether he knew any other Witches his answere was that he feared there was too many, & prayed god he would *showe* them: being urged to *reveale* such as he knew & had spoken *susp*itiously of to the Gouner He askt him what he could say of Goody Moore? he answered he feared that she was a naughty woman & his reason was because he saw her in her window in a *witches* hatt & further that she then scratched him by the face: wch he told abroad to others & she knowing of yt when she mett him spake & desired him not to bring her into question and trouble: Midleton being desired to tell when he had this discourse with her, he said that it was when his owne wif was in trouble about suspition of witchcraft Then it being demanded what he could say of Goody Stevenson, he said that he thought her to be naught, for he being at Thomas Ffarmers house, there was Goody Stevenson, & hee & she had some speach & he saying words that did not please her, & hee & shee they fell out & parted, he went *home* by the hill & going up the hill he sawe 2 thinges in the shape of catts: and thought at first sight they had been his owne catts untill he had better considered them, & then he perceauing them to differ in culler, he was afrayd, & turning to looke after them again, they were vanished out of his sight, Midleton further saith: that being at John Ashe's house he met her there also. And when he told her that she was naught, for he had herd that she had given Goody Butler a Rose & after she had smelt on yt the woman was very much troubled and ill or sicke, & then she answered him that yt was true that such a Report there was about giving her a Rose, but she gave yt to her for noe hurt to her.

And saith that he met her at Thomas Homers another tyme & then he told her that she was naught: for Georg had a beaste was sicke & died, and wen yt was opened yt had not any blood in yt. Midleton then was asked by the Governor if he would speake these things to Goody Stevenson's face to wh he answered he cared not although he did & said he would do yt.

(12) Christian Stevenson being sent for to come into the court Midleton told her of all the before mentioned passages to her face at the Barr, when she denied not but that Midleton & she had such discourse together, but yet denied that she had used any kind of witchery, or had any knowledge of any such thing, & wthall wished that god would show his Judgement on her if she were a witch, or had done any such thing.

(13) Then Midleton *said I thought* that a *man could not do the* thinges I was accused for & *prayed* that god would *show his judg*ment upon me as you *do*. *But* since I came to prison *I prayed* to the Lord to discover yt to me, and now he hath found me out & made me know that I was a witch, wch I knew not before: & said I blesse God for yt. Goody Stevenson *replied that* she for her part was wrongfulley accused for she knew nothing that did belong to any

such thing. John Midleton said unto her I know that you are a witch as well as I & said perceuing that you are a witch I *would have thee judged.*

After the Court was *cleared* and *none* remayneing in y^{e} sessions house, M^{rs} Stow & *certain other women were* appoynted to search Goody Stevenson, *and they having* some conference with John Midleton, he told them that if at any tyme, they intended to discover witches by signes or markes they must not delaye yt but goe about it suddenly. And as for their Teates or markes wch the ympes do suck ; after their sucking these Teates wilbe pale & hard soe that if you offer to enter them wth an Instrument you shall hardly enter them, but if you do *try them with* y^{r} Instrument crie Twang : and as for those that do not suck after their desire, that those teates or mkes will be redd *because* of moystuer in them, and they being prickt they will seem to bleed but it is not blood, but redd waterish blood & not blood although it may appear so to you.

(14) At a Court held the 3 & 4th of Maye 1653 att Georges Towne in the Som^{s} Islands for the Trial of John Midleton now p^{r}sent.

Captain Josiah Fforster Gou^{r}nor.
Capt Roger Wood, Councill^{r} & Comander of Pagets Ffort.
Capt^{n} Richard Jennings, Councell^{r} & Comander of Kings Castle.
Capt^{n} William Seymer, Councell^{r} & Comander of Southampton Ffort.
M^{r} Stephen Paynter, Councell^{r} of Southampton Tribe.
M^{r} William Wilkinson, Councell^{r} of Sandis Tribe.
M^{r} Richard Norwood, Councell^{r} of Devon Tribe.
M^{r} John Miller, Councell^{r} of Hamilton Tribe.
M^{r} John Waynewright, Councell^{r} of Warwick Tribe.
M^{r} John Wentworth, Councell^{r} of Pagett Tribe.

The names of the Grand Inquest :—

M^{r} Robert Kestawen
M^{r} Thomas Woode
Capt^{n} Thomas Burrowes
Capt^{n} Robert Pulford
Capt^{n} Fflorentia Seymer
Capt^{n} William Williams
Lieften^{t} William Nelmes
Ensigne Edw. Brackley

M^{r} Gilbert Hill
M^{r} Chauncey Sandis
M^{r} Henery Moore
M^{r} Thomas Browerton
M^{r} William Lancton
M^{r} William Lyndith
M^{r} Thomas Hilton
M^{r} Samuell Beadle.

The Jury for the keeper of the Comonwealth of England doth present John Midleton of Sandys Tribe in the Somer Islands, Planter, for that he not having the feare of god before his eyes hath feloniously wickedly and abominably consulted & consented to & with the Devill to become a witch. As doth appear by severall signes and markes upon his Body, and that diabolicall sin of witchcraft hath put in practice now lately upon the Body or person of John Makaraton a skotsman of about the age of 50 years : and him hath vexed tormented & disquieted contrary to the peace of the Comonwealth of England & the dignity thereof.

This Bill being put to the consideration of the Grand Inquest

APP. X. was found *Billa vera* and for his further Trial he put himselfe upon god & the Country whereof a Jury of 12 men sworne did find him guilty and sentance of death was pronounced upon him, and he was executed at Georges towne at the comon place of execution the 9th of May 1653.

The Jury of life & Death are as ffolloweth :

Jeames Newball foreman & 11 others.

(15) The following is entered some pages further on in the book.

'A note of such sins as I John Midleton haue committed from my youth soe farre as I can call them to mynd or remember' wch were read and confessed by him at the place of execution before his death :—

1. Disobedience to my parents.
2. Purloyneing from them and others money and goods.
3. Running awaie from School.
4. Ffor purloyneing *of goods* wurth 20s & deniing yt & wishing that god would judge me at the tyme of need if I had yt.
5. After my comeing of age for drunkenes, swearing, cursing and gaming for many yeares.
6. For adultery with English and Negroes.
7. For contempt of godliness & god though I went to church, wch was for fashion sake.
8. For neglect of the sacraments.
9. For consenting to the stealing of Turkeyes.
10. For making debate betweene neighbours.
11. For Lying.
12. For making awaie my wiues estate. And making her case worse than it was when she was in trouble for witchcraft & for her goods I put awaye and denyed them until she found them with other folkes.
13. I did curse John the Scott for cutting my pastuer.
14. *Crimen haud inter christianos nominandum.*

Signed with the mark ✕ of JOHN MIDLETON.

6. *Christian Stevenson.*

Here ffolloweth several attestations taken agaynst *Christian Stevenson* and *Alice Moore* upon suspition of witchcraft.[1]

The examynation of *Christian Stevenson* taken before Captn Josias fforster Gouñor, Captn Roger Wood and the Secretary, the 9th of Maye 1653.

(1) Christian Stevenson having been accused in open court by John Midleton to be a witch : and she being now examined : she denyeth it & saith that she is noe witch : yt being then demanded

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[1] The entries in the original are much confused ; they are here put in the best consecutive order the case allows ; the conventional use of & in the MS. and the varieties of spelling are retained.

of her how she came by the duggs & markes of a witch that were found on the inside of her *cheekes* she answered that those markes came by reason of an Impostume of the one side. And the other came by a ragged Tooth on the other side, and this was about 5 yeares since, and saith that Goody Todd badd her lay the curd of a lemon possett unto the said impostume (and M^rs^ Dunscombe was then present) whch curd brake it And it hath bin ever since and the other by the ragged tooth aforesd which was filed by Thomas Dunscombe & further saith not.

(2) Thomas Dunscombe being examyned saith that if he did file any such Tooth of Goody Stevenson it was more than he remembers.

(3) The wife of Thomas Dunscombe being then examyned also sayth that she doth remember that Goody Stevenson askt her husband to file a Tooth but whether he did file it or noe, she knoweth not & further saith not.

(4) Thomas Murrill examined the same day as Thomas Dunscombe

Who saith that goody Stevenson came unto his house to buy *something* & she brought with her a croseleth wrought with gould, & wold have him purchase it, but he refused yt & would not meddle with her tone & then she *would buy* some paper for a dollar that she had, he refused that alsoe at wh. *she* went awaye very much discontented as it seemed to him. And *before* even, the same day, his child fell extreamly sicke & it continued *with sore* & vnnaturall paynes untill it died & further & saith not.

Signed with the mke of THOMAS MURRILL.

(5) The attestation of Dorothy Budd taken the same tyme

Who saith that she being nurse of *the* wife of *Thomas* Murrill, when she came first into the house she saw *the wife of the said* Murrill to have sore Breasts *and heard* Goody Stevenson bid her lay a ragg dipt in rayne water to her breast. But she told her that she would have none of her medicenes. *After this her* child was taken with a greavous groaning & paynes until yt died. . . .

Signed with the marke of DOROTHY BUDD.

(6) The examynation of Goody Burch taken at the same time

Who saith that she being sent for to M^rs^ Murrill when the child was sicke she went to yt & Looking uppon yt & found yt very ill & yt had *boils* upon the breast, wch had a black speck or spott on y^e^ head of the same to wch they layd a plaister & saith that yt ran to & fro in the body and at length yt broke and ran. And after that the flesh grew away from the bones so that they might see the ribbs very greavous to behould, and after that there arose another *boil* with a blacke spott or specke on the backe of the child. She affirmeth that when the child came into the world at first: yt was borne healthful and without spott or blemish and as free as any child in the world & further saith not.

Signed with the marke of
Elizabeth Burch.

(7) Mary the wife of Robert Dickenson being present the same tyme affirmeth upon her oath that wch the other 2 witnesses hath declared as the truth: so doth M^{trs} Murrell y^{e} wife of Thomas Murrill affirme the same also.

(8) The attestation of Anne wife to Daniell Buller taken the same tyme

Who saith that Goody Stevenson & herselfe having had dealings together formerly at length they fell out about two pence: yet afterwards they grew friends agayne. And one afternoone she said Goody Stevenson came unto her & gave her a Rose & this deponent saith that she kept the rose in her bosom all the night following. And in the night as she was in bedd she felt a perfect hand in her bosome (In her best Judgment) wh hand did by force pluck her upright in her bedd: do what she could to the contrary. And then she herd a voyce say unto her, doe not strike I'le do thee no harm & the next morning herselfe & children sought for the rose in the bedd & up & downe the house but could not see nor fynd so much as one leafe of yt. Then the next morning Goody Stevenson came to her house & then this deponent askt her if she had fetched away the rose that she had given her: to wch Goody Stevenson replyed & said that she came not that way since until now, and after all this, this deponent affirmeth that she was haunted every night for the space of a yeare & half after, until at length a thing having the shape of a woman came in the night and took her by the throat & this deponent saith that *then* she got her by the *throat* also wth one hand. And with the other hand got her by the head and she perceiued her to have short haire upon her head & then she puld of her bed clothes and laid them under her, thinking to keep them safe enough, but could never after that fynd them, and then this declarant saith that she still held her by the throat wh one hand & wh the other got her thumb in her mouth & bitt it soe long that her mouth was all clammy with the blood, And in the morning she found 3 drops of blood upon her neckcloth & this deponent saith that the thing that harmed her *appeared unto her* in divers shapes . . . . when she had that combatt and found the dropps of blood aforesaid *this* deponent saith that Goody Stevenson came unto her & had a clout bound about her thumbe & when she asked her whether she did not bite her *by the* thumbe or not last night for she had bitten somebody by the thumbe last night: and *after this* she saith she *was* never after hanted *any more*; but after these passages be*tweene* this deponent and Goody Stevenson she had spoken of her biting by the thumbe to divers people, upon wh goody Stevenson would neede be searched by woomen, and after that searchm*ente* saith that they had several cattell died, & had severall hoggs that were in good plight, yet would not eat though they had corne by them & were forst to kill them or else they had died & saith that they had a sow that had young piggs sucking [w^{ch} turned sicke?] & would turn round & dyd soudaynely.

This declarant saith that she had a child borne into the world very likely to live & doe well. And it pyned away by the space of 3 quarters of a yeare & then died & further saith not.

The marke of ANNE BULLER.

(9) The Attestations of Elizabith the wife of Henery fford & Nicholas Ellis taken the same tyme

Who saith that her mother M^{rs} Pitt having three *shoates*[1] loose that would turne round & soe 2 of them died. at length the third turned round alsoe and was dying, wch they perceiuing went & told M^{rs} Pitt, who coming to see yt badd thim stoeke yt & scald it, but when they could not get the hayer off wth skalding they laye the shoat upon two trevitts & said it may be Goody Stevenson will come by & by, & before they could get the hayre of one side goody Stevenson came thither and askt them if M^{rs} Pitts had her spiders tooth (*sic*) home yet or noe, to wch was answered you know yt is come home well enough for your self left word wth M^{rs} Jones to bring yt home: but Elizabeth saith that she doth not perfectly remember whether it were herselfe that answered goody Stevenson or some other that stood by & further they say not. Nicholas Ellis confirmes this attestation to be the truth also.

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[1] *Shoates*, a provincialism for young pigs. The term is still in use in Bermuda and in New England.

> Ther's critters yit thet talk an' act
> Fer wut they call conciliation,
> They'd hand a buff'lo-drove a tract
> When they was madder than all Bashan.
> Conciliate? It jest means *be kicked*,
> No matter how they phrase an' tone it;
> It means that we're to set down licked,
> Thet we're *poor shotes* an' glad to own it.
>
> Hosea Bigelow, No. vii. p. 305.

OBITUARY!!—Died, on Friday last, of suffocation, on board Mr. Somner's Mail Carriage, while on its way from St. George's to Hamilton, a *fine fat shote*, by no means regretted by his fellow-passengers. The deceased was at first accorded a berth inside the carriage, but manifesting a strong inclination to jump into the laps of some gentlemen, at their suggestion, was removed to the box, where, in a short time, he 'shuffled off this mortal coil.' We never have had the good fortune, before, to travel in a country where pigs were considered the eligible and elbow passengers of gentlemen, but it seems to be all-right on board the St. George's Mail Car; the contract does not say it is wrong; that document states that provision shall be made for five passengers—the presumption is five well conducted members of society—but as this is not distinctly specified in the contract, we suppose that a pig, *if he pays his fare*, which is all the Contractor cares about, has as much right to travel by Mail as Messrs. Brown, Jones, or Robinson. What say the P. O. Authorities? Is this view of the subject wrong?—*Bermuda Colonist*, 4 September, 1872. The word occurs also in vol. i. p. 577.

APP. X.

(10) The attestation of Prudence Seares wife to Guy Seares of Pembroke Tribe taken the same tyme

Who sayth that she was entreated by M^{rs} Burrowes to demand 12^{d} of goody Stevenson due for a payer of Spectacles or in lew thereof to get her 2 fowles if she had not money, and at length they fell to words about yt: And this deponent saith that Goody Stevenson called her plunder mouth & said that she could teare her flesh from her bones, & many other speaches to the like purpose & that very night the deponent saith that her tongue was puld out of her head and hanged out like a beastes tungue & was rough like a beastes tongue, so that she could not eat nor goe to church by the space of many days. She saith that this discourse was at M^{r} Elwickes house in Pembroke, & she affirmeth further that yt was 3 tymes that she had differences with goody Stevenson & all these tymes her tongue was drawn out & rufe like a beastes tongue.

Signed with y^{e} marke of PRUDENCE SEARES.

(11) The attestation of the Widow Hopkins late wife to Henery Hopkins of pembroke tribe taken the same tyme

Who saith that the said Goody Stevenson *lent her some* but*ter an*d she came for yt & demanded yt: this declarant told her she had not enough to pay her, but prayd her to stay *till* she had *churned* & could provide yt for her & this declarant saith that she went churning & *continued* soe doeing all the day untill night & she saith that goody Stevenson *came to* the house severall tymes whilst she was charneing & asked her if she had done. *But* this declar^{t} replyed & said her butter would not come: & coming at last to aske This depon^{t} told her y^{t} would never come no*w for* her husband had throwne yt into the *Piggs* & then she went her *way* and when she was *gone* goodeman Hopkins said to *her*, Wife pray god that this woman be not a witch and *within a* while after *about* an *hour* she said goody Stevenson came to the house & said to this deponent & to her husband, that neither she nor her husband had bewitched her butter.

This deponent saith further that she being present at the search of goody Stevenson by woomen at M^{r} Barkleys house she was taken with d*ivers* paynes & tortuers in her body *so* that she *lost* her child that she *carried* withal in a strang & unna*turall man*ner & further saith not.

Signed with the mke of Widow HOPKINS.

(12) The attestation of Thomas Wiuerley taken the same tyme as fils.

Who saith that about two years agoe goody Stevenson offered him a Rose wh he refused to take at her hand wch she percieuing said to him I am noe witch. And saith that after this he was haunted as he laye in his bedd & saith that he is fully persuaded that he saw

Goody Stevenson in one of those fitts twice being demanded what manner of fitt he had, sayth that as soone as he was turned upon his side he was presently turned upon his backe with voyolence & is then in great tortuer & saith that he hath been thus haunted this halfe yeare & doth veryly beleive that thus being haunted in this manner is the cause of a great weaknes that is upon him & saith further that the side of his wife that lyeth next to him in the night is very blacke although it is not soe when they lye downe together.

Signed with the marke of THOMAS WIUERLEY.

(13) The attestation of Marye Hopkins taken the 17 day of Maye 1653 by Antho Jenour Secr^{y}

Who saith that about 4 or 5 yeares since she had bin at goodman Sanders his house & as she was goeing home she oertook goody Stevenson, & coming behind her goody Stevenson would have her goe before her wh she refused to doe because she was her elder & told her it was not meet for her to goe before her, wth that she came to her & pusht her forwards And then she askt her if Treesdall were at home that day. She answered noe then Goody Stevenson sayd to her that she would come or send for him betweene this & night. And at night goeing into her master Stowe his Buttery to carry in some planteing rootes, and being there she felt herselfe bitten by the arme.

Signed MARYE HOPKINS her mke.

(14) The Attestation of Sarah *Deni*combe taken the same tyme as ffg.

Saith that this declaration delivered by Mary Hopkins is the truth according as the said Mary Hopkins told yt them at the tyme being, & saith further that she had at that tyme in her ffather Jones his house, herd her cry out & say oh lord oh lord goody Stevenson was pinching her or biteing her. She saith further that her mother herd the words the same tyme spoken by the said Mary Hopkins & this deponent affirmeth that she peeld up her sleeve to look what she ailed & that she saw her Arme as though she had bin Bitten & further sayth not.

Signed with the mark of SARAH DENICOMBE.

(15) The examination & attestation of Henery Bishop taken the *same* daye

Who saith that about 4 years agoe he *being* at M^{r} Attwoodes house in Hamilton tribe and ther was Goody Stevenson and M^{rs} Attwood askt this deponent if he had a*ny hoo*kes & lynes to sell to goody Stevenson he answered no. *Then* goody Stevenson replyed & said that old lynes would *doe* her turne for her, *some to* catch her some small fish wthall. *Then* this declarant went home : and *picked* some *such* he *found* & sold them to her : And that night after she was gone he saith that he dreamed that he saw a sperritt follow him And he running to shun it fell into a cave & called out to William fford as he was shuning yt to help him & when William fford came he askt him how he came there & he thought he *tould him th*at Stephen Stevenson had bewitched him and as soon as he *thought he* desiered him to haue a care & take heed how he came *nigh, but* he fell into the cave also, and he thought he made some*thinge* to come downe to him & offered to lift him up. And then *he th*ought that he was emediately very sensible desiring god to *bl*esse him, for what a strang dreame have I bin in. And now he knew himselfe to be perfittly awake and desiered to sleep & going to turn himselfe in his bedd was not able to stirre & so contynued for the space of a month not able to turne himselfe without great paynes, w^{c}h griefe caused him to cry out grieuously & further sayth not.

Signed HENERY BISHOP.

(16) The Attestation of Thomas Seewarde taken by the Grand Inquest taken the 17 Daye of maye 1653

Who saith that about 7 or 8 yeares agone, he had a daughter aboue a yeare old well & in health & of a soddaynly yt fell sickly and pyned away her side hunched up & her eyes grew out of her head & a great bunch grew upon her head And yt fell into strang fitts insomuch as yt falling into such strang fitts he carried it unto M^{rs} Seymer who could not tell what to saye to yt by reason of the strangnes of the fitts wch caused M^{rs} Seymer to thinke it was betwitched & told this depon^{t} that she had a grand child that mett with goody Stevenson and came home & fell into such strang fitts & was strangly taken. And she askt her who She mett wthall and she said with goody Stevenson. And then this depon^{t} told M^{rs} Seymer that goody Stevenson was very busy with his child and would ever & anon be giving yt green plantains & such thinges. And this M^{rs} Seymer bad this deponent that he should not suffer her to giue her anything and this deponent saith that he forbadd her to giue the child any more thinges. And she would answere this deponent wth do you thinke I am a witch. And ye Child lying sick she would be with yt and do what he could. And when the child was quiett she would dis*appear &* when we thought not of her she would be wth the child And the child m*oaning* would still cry, knock my Gammer on the head, knock my Ga*mmer on the* head. And often tymes since the child died she would say *you think hardly* of me because of your child, this deponent would say I *thinke not* hardly of you, and she would answer Oh but you do Oh b*ut you do:* And further this deponent saith that Good^{man} Stevenson *gave him a* Cocke Turkey for the pastuer of a peece of ground for *her goat &* depon^{t} saith that goody Stevenson was not willing to *giue it* and a certayne *time* after she came *to* his *depon^{ts} house & asked* wh*iche* is the Turkey you had of my husbande & she *tould her not.* And she went awaye and the very next morning . . . . was as blacke as a shoe.

And also after this deponent came hither out of England this *goody* Stevenson came to him to buy a combe and he said he had none to sell and she went away mumbling. And presently *he heard a* shoat. began to *pine* awaye & droope & afterward d*ied* and this depont cut the tayle & *left* eare & threw them in the fier saying yt may be Goody Stevenson will come by & soe she did & further saith not.

Signed with the mark of T. S.
THOMAS SAWARD.

(17) The names of the women that were empanelled to search the body of Christian Stevenson supposed to be a witch

Mrs Lun Forewoman.	Dame Coursby.
Mrs Elizabeth Rener.	Widdow Robinson.
Mrs Elizabeth Jenour.	Dame Port.
Mrs Stow.	

Who made *report*e as followeth :

That upon the search of the body of Goody Stevenson they found in her mouth two small Teates or Duggs the one on the one side of her mouth & the other on the other side of her mouth, which they prickt with a needle but there came forth noe blood at all from them and when they prickt they askt her if she felt when they prickt them, & she confest that she felt them not. And they say further that because they would not mistake They did all seuerally search her mouth & prickt these Teates, but they affirm that there came not forth any blood when they did soe. And say also that they found a blew spott or like wart . . very suspitious & against natuer out of which came waterish blood when they prickt yt.

(18) The Names of the Grand Inquest. 16 names
The Jury for Life & Death. 12 names.

The Jury for the keeper of the co͞monwealth of England doth presente Christian Stevenson of Pembroke tribe in the So͞m Islands spinster for that she not having the feare of God before her eyes hath feloniously wickedly & abbominably consulted contracted and consented to and with the Devill to become a Witch, as doth appear by severall signes & markes upon her body. And that abhominable sinne of witchcraft hath put into practice from tyme to tyme upon the persons & cattell of severall people within these Somers Islands And upon the body of a child of Thomas Murrell wch was suddaynely smote with grieuous and Tormenting paynes soe that yt died. And upon the Body of Anne Butler her hogges & cattell as also upon the Body of Prudence Sheare. Also upon the Body of Thomas Wiuerley & also upon the Body of Widdow Hopkins and her daughter Mary Hopkins and upon the pigges of Mr Christopher —— And upon the work of Thomas Denicomb blacksmith and upon the persons & goods of diuers others besides these afore mentioned she hath by her Diabolicall practises tormented vexed disquieted & destroyed contrary to the peace of the co͞monwealth of England & the dignity thereof.

To wh Indictment she pleaded not guilty but being by the Grand

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Inquest found a true bill she put herself for her tryall upon god and the Cuntry wh Cuntry being a Jury of 12 men sworne found her guilty of witchcraft & for the same was adjudged to be carried to the place of execution And to be hanged by the neck until she was dead dead (*sic*) w^{h} sentance of death was put in execution accordingly the 20 May 1653.

7. *Alice Moore.*

Here ffolloweth several Attestations taken about the Triall of Alice Moore supposed to be a witch.[1]

(1) The attestation of Anne Holmes then taken by M^{r} John Waynewright & M^{r} John Wentworth Councell^{rs} Maye the 14, 1653.

Who being sworne saith that goodwife Gaplin sent for this deponent and when she came to her she told her that she sent for her to see if she had any judgement in the making of Sope. This deponent replyed & sd she had no skill for she did not meddle wth her mothers sope when she made any, presently after this deponent went awaye And in goeing towards her godmother Moore's she espied her godmother coming towards her with a knife & a ragg in her band and this deponent meeting her about the chymney *end* of her house s*he asked* her blessing And demanded of her wher she was goeing, her godmother replyed & said, she was going to *stop her t*rough *for it* did leak so that she could keep no water. She askt this deponent if she would *come a*nd smoake it. She replyed with thanks that her pipe w*as alreadi*e lighted & she was in hast. Then goodwife Moore demanded of this deponent how goody Gaplin's sope did & she answered she knew not, but as goodwife Gaplin sayd it was lost she *must have* boyled yt all away. Then she replied & s^{d} that was pitty . . hull said to this declarant that she herd that goody Gaplin had a shoat dead that day. Then this *deponent* replyed it was now that she knew, for she heard not of it when she was there & further saith not. Signed ✕

(2) The Information of Dorothy Gaplin wife of Thomas Gaplin of Warwicke tribe taken by M^{r} John Waynewright & M^{r} John Wentworth Councellors this 14th day of Maye 1653.

Who sworne saith That at the A*ssizes h*eld in *Sumer* Ano 1652 about the month of July this deponent sp*oke unto* Jacob Bradshawe a dweller in her house, to desire Anne Holmes J*ur.* presently to come up to her house She demanded the occasion wherefore she sent for her. This deponent said she did desire her skill about making sope. The same *Ann*e replied she had not any knowledge in the making of yt The said An*ne* layd a short tyme at this deponents house *and then* took her leave & went awaye. She had not bin long gone ere goodman Conyers came in to this declarants house, who did demand of her where her husband was. This declarant replied and sd he was gone to Peter ffables house for potatoe slippes & would not staye long. She hearing a shoat or small hog to crie wisht her daughter to goe downe & see what the matter was with the shoat. Her answer was that it would not stand. This declarrant demanding agayne *whether it were* not tangled she said noe. She wisht her daughter againe to *goe and looke*, who returned agayne and said the pigg was ded, then this deponent went down with goodman Conyers to see the pig, and doubteing whether the collar might choak him made trial with her hand And found the collar soe wide that it might have been slipt off & yet the pig dead at the end of the rope. Soe taking up the pigg this declarant called for a knife emediately & before the pigg was stickt mother Moore came there barefooted & bare legged. Then this declarant said that if yt had bin her owne pig yt would not have troubled her soe much & said it was Jacobe's Then goody Moore said I had thought yt had bin yours. And this deponent saith further that that night their owne pigge w^h^ was fellow to the other that was dead, died alsoe, being found dead like the other at the ende of the rope. About two days after this deponent went downe to Jacob to Turtle bay Ann Holmes Jun^r^ demanded of her why she would not give her same shoat This declarant asked the s^d^ Anne how she knew she had any dead, her reply was that her grandmother Moore told her soe as she was going home on Wednesday last from this declarants house. Then this deponent replyed & s^d^ Truely I think then that she is a witch, for she came up to our house when wee were about the pigg, & further saith not.

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[1] A singularly close parallel to the case of Alice Moore will be found in that of Ann Forster, tried and executed for witchcraft at Northampton, 22 Aug. 1674. 'Relation, etc.,' reprint. Taylor and Son, Northampton, 1878.

Signed, &c., ✕ of DOROTHY GAPLIN.

(3) The attestation of Nathaniel Conyers taken before M^r^ John Wainwright & John Wentworth the 14^th^ day of Maye 1653

Who sworne saith that about that tyme which the goodwife Gaplin hath calculated she being boylinge sope, This deponent came to Thomas Gaplins House & demanded of his wife where her husband was, she said he was gone to Peter ffalls Island potato slippes to plant. She said further she thought he would not tarry long, in regard he was gone over since morning and therefore this deponent resolved to stay until he came home, and in a moment of tyme tarrying, he herd a shoat crye. The woman goodwife Gaplin willed her daughter to goe to see what ayled the shoat. Her daughter returned emediately with this answere That the shoat was cleere, her mother asked if she was suer of yt. Her daughter replyed she would goe againe & see & returned agayne with expedition tould her mother that the shoat was dead and then Goodwife Gaplin went down to the house where the shoat was tyed, & this informant with her, who saw the pigg lie dead there & in the *cle*are from any tangling and the collar about the neck so slacke that it might have been slipt over his head emediately came goodwife Moore even at that very instant of their being with the pigg, being bare footed & bare legged. And she demanded of them what they were doing,

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Goodwife Gaplin replyed and said they had a pigge dead. And goodwife Gaplin calling for a knife to sticke yt, Goodwife Moore replyed and said let Goodman Conyers sticke yt, for he can sticke it better than you. This declarant saith that Goodwife Moore went straightway up with goodwife Gaplins daughter to the dwelling house, & left this deponent & the *woman* there: who went presently after her & carried the pigg after them. Goody Gaplin after she came up said, she had rather the pigg had bin her *owne* for Jacobb would be mad when he came home Goodwif Moore replyed she had thought it had bin goodwife Gaplins & withall asked whose sow yt was Goodwife Gaplin answered yt was Jaccobs. then Goodwife Moore replyed with a gesture Oh I am sorry it is Jacobes, & further saith not.

Signed .×.

(4) The attestation of Edward Holmes taken by the Grand Inquest the 17 day of Maye 1653

Who saith that he having a beast loose in M^{r} Whethenhall, north side about the month of December last wh he could not take of himself he got his brother William Holmes to go with him to help him to catch him. And as they were going along, between 8 and 9 of the clocke in the morning by Thomas Moores House, on the west side of yt he saith that he heard a voyce cry. Wilt thou never have done sucking, I think you will bring me off my leggs, for I must *go* worke now, they say they thought goodman Moore had bin in the house talking with his wife because they heard a voyce, but going along they saw him on the top of the hill close by his cedar woode & further sayth not.

Signed ×

Further William Holmes his brother affirmeth that this is the truth, for he was with him and also heard the voyse, and to his *hear*ing as near as he was *could* judge yt was goodwyfe Moors *voice* & further saith not.

Signed, &c. ×

(5) The attestation of Thomas Gaplin taken by the grand Inquest taken the 17th day of Maye 1653.

Who saith that about four or five months agoe old Thomas Moore of Warwicke Tribe *aked this depon*^{t} leave to tye a hogg or sowe in his grounds to root up some fearne *but* she being afterward with pigg: he asked this deponent to h*elp him w*th *one*, he answered he could not promise him. he knew not be he should *sa*ue any himself And after the sow had pigged this deponent sayth that he disposed of them being that goodman Moore did not *trouble* him, and after this goodwife Moore asked this deponent for a pigg and he told her they were all gone he had sould them all but two, & goodwife Moore answered it is no matter for they will all dye and soe they did & further saith not.

Signed, &c. ×

(6) The attestation of John Burt taken by the grand Inquest Maye the 17, 1653

Who saith that *some* yeares since he having a great sowe, eyther Goodman Moore or his wife, he remembreth not which of them, came to his house to buy the sowe. And he sett them a price but they would not co*nsent* to yt And a matter of six weeks after the sowe pigged & then the sowe & all her piggs died & further saith not.

Signed, &c. ×

(7) The Information of M^r John Waynewright deliuered to the grand Inquest upon the 17 daye of Maye 1653.

Who saith that about 3 or 4 yeares since he having 2 shares of Land in his hands, one *share of my* Lord of Warwicke, and one of M^r Georg Turberfield, Thomas Moore having one share [1] of my Lord of Warwicke's lying between the two, upon any small variance the sd Moore forwarned the said John Waynewright from going acrosse his Grounds, nor wold suffer the said John to tread the paths he went in himselfe, the path lying neare the lyne, I told him then If ever it lay in my power I would displace him & at last I obteyned yt that share wch Moore lived upon by frends & mean that I wrought by. And then I warned the said Moore off that land yet I made provision for him else where.

And not long after this I had many of my creatuers strangly taken & died as my cattell dyeing Soddaynly. And shoats running loose one houer dead the next & never could discerne any thing they ayled neither liuing nor dead but were as ffatt and as lusty as any creatuers in the world, yet perished About this tyme. I had sett according to my estimation about 16 acers of corne ground which sprouted in the ground very well, some aboue ground and some arrived even of the ground and turned too & agen like the worme of a pease & soe lay fresh in the ground & never came to good, through free from clodds or other ympediment. I never saw the like before or since.

After this when I had built & was settled in my house, Goodwife Moore wife to Thomas Moore aforesaid came to my house with pretences to buy or begg some fyne thread as my wife told me & looking about praysed my dwelling place to my wife and asked her if she did not breed good share of hoggs my wife told her yes but they were little the better for them for they died & came to litle wee have had such ill successe wth them. Good wife Moore asked her alsoe about breeding fowles & said she thought she bredd but few, to wch my wife answered noe for they are carried off for I was forced to buy hens to go with my cocke.

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[1] In 1622 the Earl of Warwick owned five shares. In 1662 he does not appear as the proprietor of any; but Mr. John Waynewright owned lots 5, 6, and 7 in Warwick. There is a list (MS. ix. p. 2) of 19 shares reputed to be his, which were made over by the Sheriff to W. Milborne, as agent for his heirs, in May 1677, see p. 445.

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Not long after when I came out of England I had a very fayre sowe pigging & goodwife Moore being at my house & seeing her praysed her not long after she pigged & all her piggs died as soon as they were pigged. Att the tyme of Capt^{n} Turners entrance into his Govment or a little after *I did* charg goody Moore wth these & many things else. And first for that she *should* declare how she came to know that *my*selfe with the rest of the company *who* were in the shipp wth me were taken by the Turkes or chased by them. Th*ough sh*e did mention none but the womens 2 husbands & my selfe & Thomas Inglethorpe, wh she denied, though yt was then affirmed by diuers.

Signed JOHN WAINWRIGHT.

(8) The names of the women who were appoynted to search the body of Alice Moore being suspected of whitchcraft Maye the 17, 1653.

M^{rs} Lun
M^{rs} ffor*ster*
M^{rs} Pulford
M^{rs} Robinson
M^{rs} Burrowes
M^{rs} Dickenson
Dame Coursy
Dame Evans
and 4 more

who doe affirme that upon the search of the body of Alice Moore aforesd. they have found 3 markes or teates as to biggnes on the right side of her body & another in her mouth towards the almonds of her eares, & another between her tooes upon her left *foote* wh. teates or duggs being prickt by them did not bleed only a little *wateris*h blood & they say she did not sensibly feele when they prickt *them* although they asked her if she felt them & besides they say that *they fo*und also other suspitious mkes which are declared to belo*ng to* A witch upon some partes of her body & also some blew spotts there also.

(9) Sommer Islands, to wit.

The Jury for the keepers of the liberties of Com̄onwealth of England doth present *Alice Moore* of Warwicke tribe of the said Islands, spinster, for that she not hauing the feare of god before her eyes hath feloniously wickedly and abhominably consulted contracted & consented to & with the Devill to become a witch as doth appeare by several signes & markes upon her body and by her diabolicall practice in witchcraft hath destroyed the cattell & hogges of M^{r} John Waynewright & Thomas Gaplin both of Warwicke Tribe & of diuers other persons contrary to the peace of the comonwealth of England and the dignity thereof.

To wh Indictment she pleadeth not guilty but the Grand Inquest finding yt a true bill she put herself to be tried by God & the Cuntry wh being a Jury of 12 men sworne find her guilty & for the same she was adjudged to be carried to the prison from whence she came & from thence to be conveyghed to the place of execution & ther to be hanged by the necke until she be dead, dead. wh. execution was performed accordingly the 20th of Maye 1653.

(10) To Mr Anthony Jenour Sheriff.

By ye Gouner.

Thes are to will & require you that upon sight hereof you cause the Body of Alice Moore to be taken from prison & from thence to be conveighed unto the place of execution & ther cause her to be hanged by the necke until she be dead. According to the sentance passed upon her the 18 day of Maye 1653. If need shall so require to command the ayd & assistance of any mañer of persons whatsover for the execution of your office. And for yr so doing this shall be your sufficient warrant. Given this 20th day of Maye 1653.

(Signed) Josias Fforster.

A warrant of the same Tenner and date was signed by Captain Josias fforster for the executing of Christian Stevenson.

(11) Presentation by the Grand Inquest in maye 1653

Wee the Grand Inquest Taking into our consideration how yt hath pleased god upon *slight* & slender ground being carefully followed upon one person for suspition of witchcraft, what good successe & yssues hath followed upon yt, Therefore wee desire that All such persons as wee have hereunder mentioned may have some careful eyes cast upon them, soe that if yt shall please our god to discouer more of them they may be persued after and proceeded agaynst until as David saith, wee have cut of wicked doers from off this Island.

Henery Ward.[1]

Ffurther wee have bin credibly informed that Seignior Ambrosiae the Spanish sergeon hath said that there are eight or twelve witches in these Islands we desier that he may be dealt withall in some way that he may *make* discovery of them. . .

It was then ordered also that those that are or shalbe suspected for witches be carefully observed and search made to fynd out the truth thereof wh all convenient speed.

Then follows in the order of entry the confession of John Midleton, already given *ante*, p. 610.

8. *Goody Brangman.*

The 12th day of May 1653 Edward Brangman complayned agst the widdow Mary Stow about some slanderous speaches vsed agst his wife, before the Gourner and Secretary as ffolloweth

(1) The attestation of the wife of Thomas Bell taken the same tyme as ffth

Who saith that about the tyme that Goody Gardiner was in trouble for witchcrafte she being in company wth the widdow Stowe they fell into discourse about the said goody Gardiner's being a

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[1] This is the only name inserted.

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witch And then goody Stowe tould her that she thought wee had more in Davyes Island And that she might speake by woefull experience by her husband and child: ffor ther was a difference (as she said) about strikeing Goody Stow in the church: w^{ch} was herd before the gou^{r}nor, he perswaded her to put it vp, but she would not: And then goodwife Brangman out of the Gou^{r}nors hall she mett with her husband and sayd vnto him, that he should never come vnto his triall, and suddaynly after he was killed: and after this ther was also a falling out betweene goody Brangman's sonne and her sonne. And Goody Brangman's sonne said that he would see Goody Stowe's sonnes hart bloud, and said further the goody Brangman's son should neuer fight with her sonne more, and awhile after the child died.

And after this Goody Stowe told this declarant that goody Brangman and she being at woords agayne: fell out: she tooke vp a stone and made as though she would throw yt at her, but did not, and Good Brangman badd her throw yt if she durst: and shortly after her finger fell Lame. And this deponeth saith that goody Stow told her that when Goody Brangman dwelt at Mullet Bay she went to buy a pigg of old M^{r} Stowe but could not haue yt, and shortly after all, the pigg ran madd.

This declarant further saith that Goody Stow told her that she had obserued goody Brangman did not vse to sing in the Church, and that made her thinke she was a witch.

Signed with JONE BELL her marke.

(2) Goodwife Stowe being convinced in herselfe that these thinges were true she confest she had spoken them. And did entreat Edward Brangman and his wife to passe by her offence: for she did then acknowledg that she had done her wrong in vsing such suspitious speaches ag^{t} her. And the said Brangman and his wife did accept the acknowledgement and past it by and goody Stowe did promise to lyve quietly by them for the tyme to come, and to this subscribed her marke.

MARY STOW.[1]

9–10. *Elizabeth Page. Jane Hopkins.*

Trial of Elizabeth Page and Jane Hopkins 1 January 165$\frac{4}{5}$

Capt^{n} William White Master of the Maiefflower, complained unto capt^{n} Josias fforster Gouv^{r}nor of the Som^{r} Islands that there were two women on his sayd ship w^{ch} hee did vehemently suspect to be witches, and desiered Justice ag^{t} them, w^{ch} the Gou^{r}no^{r} yeilded unto, and they were brought unto their triall accordingly, w^{ch} is as followeth:

(1) The attestation of Elizabeth Cobson taken 1 January 1654 before Capt Josias fforster Gou^{r}no^{r} M^{r} Thomas Peniston Counsellor & Antho Jenour Secret who being sworne sath as ffth.

That about 3 or 4 yeares ago shee and Elizabeth Page being bedla*ying* at the 3 tuns, and falling into discourse together: she then and there heard the said Elizabeth Page saye that she had raised the deuill and whipt him with briars, and so further that she had made Maidstone Jaile doores stand open, so that others might or did goe forth, but she had no power to goe forth herselfe and further saith not.

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[1] MS. ii. p. 219.

The mke I of ELIZABETH COBSON.

(2) M^{rs} Rathorme being sworne the same tyme

That she onely herd Elizabeth Page tell her severall passages about some Lancaster witches, but hard not anything of herselfe being a witch.

(3) Thomas Crofts sworne the same tyme

Sayth that he being present when Charles Hancocke was at the helme, That Eliz. Page being by the compas had her finger ouer the compas and made it turne Round, Round eu^{r}, and yet never tuched yt.

THO. CROFTS.

(4) Charles Hancocke being sworne

Saith that he being at the helme Elizabeth Page had her finger over the compas, And yt ran round from North to South, And turned backe againe, And said that any woman that was wth child may make yt do soe, And about 3 days after she told him that she had a steele needle about her that caused yt, yet other being present she sd, do you not see how yt runs, and further saith not.

CHARLES HANCOCKE.

(5) The attestation of . . . . daye of January $165\frac{4}{5}$

Who being sworne saith that hee being one daye at his Lodging Mr. Baker came to visit him at his Lodging And speaking of M^{rs} Hopkins M^{r} Baker tould him that he herd a boye say that he seeing her dresse herselfe he saw [a strange thing] upon her shoulder And saith that as he was speaking with M^{rs} Hopkins about these things that she told him that she had one marke came lately upon her which she never had before & that she said moreover that she had had her desier upon her enemyes & she hoped that she should have her *desie*rs still of them . . and further saith not.

(6) The attestation of Jeames Man before the grand Inquest the 3rd of January $165\frac{4}{5}$

Who sworne saith that he being in the *Ca*ben wth Jane Hopkins she said Jane wished that god might showe some signe whether she was a witch or not, and emediately there was a thing in the likenes of a ratt appeared unto them & further saith not.

JEAMES MAN.

(7) Before the grand Inquest aforesd

Thomas Cobsone sworne sayth that at the same tyme he saw a thing in the likenes of a ratt after the said Janet Hopkins had wished that god might show some signe and saith further that before the appearance there was a noyse which made him affearde.

THOMAS COBBSONE.

(8) *Anto.* Love before the Grand inquest saith upon oath

That M^{rs} Page her maide havving mist a botle aboard the shippe made her moane to M^{rs} Hopkins And M^{rs} Hopkins said that if she would crosse her hand with a peece of silver of something that she would coniure for her bottell, and that she shold haue yt that night or next morning. And that night she had the bottell, and further saith not.

(9) Upon these fformer grounds the Gou^{r}ner comand a Jury of women to be empanelled whose names are as followeth, who searcht the body of Elizabeth Page the 20th day of December 1654

M^{rs} Seon, forwoman
M^{rs} Stowe
M^{rs} Marsh
Dame Cobson
Dame Pert
Dame Bristowe
Dame Powell
Dame Corsey
M^{rs} Jenour
Dame Goodfaith
Dame Cobeson, Jun^{r}

Whose verdict is as ffolloweth:

Who doe all affirme upon their oathes that they find not any marke or spotts or signes w^{ch} may moue them to judge Elizabeth Page to be a witch only something more than ordinary [in a certain place].

Another female Jury was empanelled to search Jane Hopkins. The MS. has here partly perished, but the words 'search the body' can be read.

M^{rs} Margery Seon, forewoman
M^{rs} Jenour
M^{rs} Stowe
M^{rs} Woode
M^{rs} Vaughan
M^{rs} Paskon
Dame Powell
Dame Port
Dame Stirrop
Dame Vicars

Their report or verdict:

Who doe all joyntly affirme, that *Jane* Hopkins hath in her m*outh* a suspitious mke and under her arme she hath a dugge or Teat And upon her shoulder a wart and upon her necke *another* wart. . . And they all *declare* that all these were insensible when they were prickt and tried.

(10) The third day of January 1654 Captain Josias fforster

Gou^{r}no^{r} & Capt^{n} Gen all of these Islands called a sessions when were present these Councellors following

Capt^{n} William Wilkinson
M^{r} Stephen Paynter
M^{r} John Waller
M^{r} Richard Norwood
M^{r} Thomas P——
M^{r} John Waynwright
Antho Jenour, Secr

The Grand Inquest, 14 names. The Jury for life & death, 12 names.

Wee the grand Inquest do *pre*sent Elizabeth Page, being a passenger in *the* good shipp called the Mayflower, for that she not having the feare of God before her eyes wickedly and felloneously consulted & covenanted with the devill contrary to natuer & to the law of God and man And contrary to the peece of the comonwealth of England and the dignity thereof.

To which Indictment Elizabeth Page pleaded not Guilty &c., and for her triall put herselfe upon God & the country w^{ch} country being 12 sworne men found her not Guilty and was quitt by proclamation.

(11) The Jury for the Comonwealth of England doth present Jane Hopkins one of the passengers in the Mayfflower ffor that she not having before her eyes (*sic*) hath ffeloneously & wickedly consulted and covenanted with the Devil & him hath suckled and fedd contrary to nature & the law of god and man as doth appeare by by markes & signes upon her body and contrary to the peace of the comonwealth of England & the dignity thereof.

To w^{ch} Indictment Jane Hopkins pleaded not Guilty and for her triall &c. she was found Guiltie and for her *sent^{ce}* was condemned to be carried to the place of execution and there be hanged by the neck until she was dead, dead, w^{ch} was done accordingly, as appeareth by his warrant dated the 5 January $165\frac{4}{5}$.

(12) Whereas Jane Hopkins one of the passengers by the mayeflower having bin accused for witchcraft & for the same hath bin indicted arraygned and tried at a court held in the Somer Islands the third day of January $165\frac{4}{5}$ & then & there found guiltie & condempned to death. These are therefore to require & charge you to take her from the prison & cause her to be carried to the place of execution & ther to be hanged until she be dead Hereof faile you not as you will answere the contrary at y^{r} perrill Given this 5th January $165\frac{4}{5}$.

JOSIAS FFORSTER.

Directed to Anthony Jenour Sen^{r} officiateing in the Sherriffes office.

12. *Grace Bedwell.*

Trial of Grace Bedwell at an assize in 1655.

The Jury of the commonwealth of England Doth present Grace the wife (*sic*) of John Bedwell of Georgestowne in the Somer Islands spinster (*sic*) ffor that she not having the feare of God before her eyes hath ffelloneously & wickedly had consultation and familiarity with the deuell as doth appeare by severall markes & signes upon her body and by his instigation hath mallitiously and unnaturally vexed and afflicted severall persons, most especially upon the body of Kate an Indian woman servant of Robert Powell hath used witchcraft contrary &c.

Found not guiltie.

13. *Mistress Miller.*

Appearance by recognizances, assizes of November 1655.

William Haynes of Hamilton for his unciuil behaviour towards such as gave in evidences ag^{t} him when he was questioned for his defaming M^{rs} Miller in reporting she was a witch.

The s^{d} Haynes did acknowledge in open court that he had done her & her posterity liueing great wrong in reporting & saying M^{rs} Miller was a witch & was heartily sorry for the same & desired them all to forgive him w^{ch} was accepted & passed by & he set free from his recognizances.

14. *Trial of Goodwife Moore.*

The attestations of Nathauiell Astwood & John Richards taken before & by M^{r} John Waynwright & John Rawlinges Councellors the 17 July 1658.

(1) Nathaniell Astwood being sworne saith

That his servant John Richards had after the sight he had seene laid by sicke And was recovered and since that tyme that he met Thomas Moore & his wife in the path he had bin very yll and is much ympared in his body And that upon that very night he was taken very ill That he did meete the aboue s^{d} partyes.

Signed, NATHANIELL ASTWOODE.

(2) The Attestation of John Richards as afores^{d}

Who sworne, saith That some tyme in the month of June being in bedd in his masters house, he having bin asleep And was awakened by some noyse in the Roome where he laye, and that he there saw the wife of Thomas Moore in the roome or the divell in her likeness And that this deponent did speake to her then and did tell her that she was a witch & that he would have her hanged and that he had had the like sight twise since, and upon Tuesday the 10th of this Instant month That he met the said Thomas Moore and his wife as they were going along the Path and the said Moore said to his wife this deponent: What are you sicke whereupon this deponent replyed I was. & the said Moore replyed I herd you were scared, whereupon this *deponent answered* yes. whereupon the s^{d} Moore answered I herd you should say yt was my wife and this deponent said againe, yt was eyther y^{r} wife or some in her likeness that I did see & further sayth not.

Signed, JOHN RICHARDS.

(3) Upon the attestations taken as aforesaid the s^{d} goodwife Moore was sent downe to Georges Goal & for triall of this delinquent Capt^{n} Josias Fforster Governor commanded an Inquest of woemen to be empannelled & sworne, whose names are as ffolloweth :

M^{rs} Norwood
Margrett Crockford
Elizabeth Gilbert
Katherine Bristowe
Goodwife Sweetinge
Goody Port
M^{rs} Margery Piskow
M^{rs} Malary
Honora White
Goody Powell
M^{rs} Katherine Marsh
Goody Corson
Goody Middleton
Mary Coleson
Goody Bayley

The woemen being sworne to make diligent search upon the body of the wife of Thomas Moore affores^{d} whether there did appeare any signes or markes tending to witchcrafte Their verdict or Reports were That there was upon her body noe such signes nor markes.

15. *Goodwife Crockford.*

Michael Brother being called before the Governor & Councell 26 Oct. 1658 to answer the complaynt of goodwife Crockford who complayned that the said Brothers had called her witch and s^{d} he wold prove y^{t} & make yt good : but he confest himselfe to be in drinke & forgott what he spoke & did engeniously acknowledge his offence & asked the woman for forgiveness upon his knees upon w^{ch} she past by the said offence.

16. *Nicholas Hon.*

Nicholas Hon of Pagets Tribe presented for suspicon of Witchcraft 6 Dec 1659 as upon the attestation of Henrie Sims and his wife doth appeare at large. He was dismissed with an admonition given him by the Governor (W^{m} Saile).

17. *William Haynes.*

Presentment of William Haynes at the assizes December 1663.

Wee the Grand Inquest for our Soveraigne Lord the Kinge doe exhibit this Bill of Indictment against William Haynes of Hamilton Tribe for a person suspected for Witchcraft, for that M^{r} John Place of the Tribe aforesaid was affrighted by the aforesaid Haynes, or his apparition, appearing in the dwelling house of the aforesaid place in the night season in the lodging Chambers of the aforesaid place with a knife in his hand in or about the begining of ffebruarie, in the yeare of our Lord One thousand six hundred sixty and three, the said Place riseing up receaved a blowe on his arme by the apparition, which caused him to cry out, uppon which the person or apparition fled, leaving a mark to be seene upon the aforesaid Place his arme ;

APP. X. all which is contrary to the peace of our Soveraigne Lord the Kinge his Crowne & dignitie.

Uppon which Indictment hee put himselfe uppon God and the Countrie, which being a Jurie of twelve Sworne men, the Sayd sworne men ffound him (according to his own plea) not guiltie. And theruppon he was acquitted by Proclamation.

18. *Christian North.*

Presentment of Christian North Assizes 15th Decemr 1668.

Christian North Widdoe, of Hogg Bay in Sandis Tribe, accused for wichcraft by Meriam Ward of Pagetts Tribe, according to an Attestation taken the 12th day of September 1668. By Capt Samuell Whalley Goverr.

Uppon the Grand Inquests examination of the aforesaid Meriam Ward and her said Attestation, They returned Ignoramus. Whereuppon the said Christian was quitted by proclamation.

19. *Susan Cole.*

Presentment and Trial of Susan Cole Assizes 12th June 1671.

Bee it Inquired for our Soveraigne Lord the Kinge, Whether Susan Bailey, now Susan Cole, the wife of Robert Cole of Devonshire Tribe plantr, Since the Tenth daie of January in the yeare of our Lord 1670, hath severall times used practiced the detestable Sinne of Witchcraft. As likewise whether shee the said Susan Cole hath not malitiously, diabollically, wickedly & ffeloniously against Thomas Holt of St Georges, Taylor, put in practice the words, or the effects of the words of the aforesaid Susan Cole by her spoken (videlzt) By God, that shee would terrifie or torment him the said Thomas Holt. The which Thomas Holt, since the speaking of the aforesaid words, hath severall daies bin in a languishing Condition. By reason of a paine in his left Shoulder and Arme. Insomuch that the said Holt could not follow his aforesaid trade of a Tailor, But could doe any other work whatsoever, untill or from the time of his Complaint unto Goverment against the said Susan Cole. And hath bin for the aforesaid practice Secured in the Marshallsie. Therefore you are to Inquire whether the said Susan hath malitiously and ffeloniously by the helpe of the Divell, terrified or tormented him the said Thomas Holt Contrary to the peace of or Soveraigne Lord the Kinge, his Crowne and Dignitie And wholesome Lawes provided in such cases.

To which Indictment the said Susan Cole hath pleaded, not Guilty, And hath put herselfe uppon God and the Country; which being a Jury of Twelve Sworne men, they found her Guilty. Whereuppon the sentence of death was pronounced against her, the 17th daie of June 1671. And upon the 21st daie of the aforesaid Month was carried to the place of Execution, But upon weighty considerations was, By Sir John Heydon Governor, then reprieved and carryed back to the Goale untill further Order.

The Information and Attestation of Thomas Holt of S^t^ Georges, Tailor, taken before Sir John Heydon Governor the 18th daie of May 1671, Sworne.

Saith, That the daie before Henry Scott appeared at St Georges about Mr Shephards Businis, he the said Holt, and Susan Bailey Widdow, were together in the house of David Minge, and a discorse being at that time about her intention of Mariage, the said Holt tould her, That hee had heard Roger Waightman saie, and tell him the said Holt in his owne house som time before hee went away to New Providence. That hee was goeing thither for two yeares time. And afterwards was to be Marryed to the aforesaid Widdow Bayly. Shee thereupon made answer at the aforesaid time & place. And swore by God, that she would terrifie (or torment) him the said Holt for his soe saying. Whereunto Holt replyed, that hee did not feare what shee and all the witches in the world could doe. And withall said, Beare witness, (being then present Elizabeth the wife of Edward Middleton, John Colson, Cooper, and David Minge the Mastr of the house aforesaid) ffurthermore the said Holt affirmeth. That hee did then warne the said Susan to have a care for if any thing did befall him or any of his, hee would have her fast enough. Shee the said Susan thereupon replyed. That if shee were in another place, shee would set her fist in his iawes: hee made answer, hee would sett his foote in her back, if she were a better woman than shee is. Afterwards the said Holt went to Alexander Smiths house, and from thence to John Colsons, being Constable, intending to speake with him about the aforesaid Bailies words, but could not speake with Colson, the which, together with the said Susan was in the house of Edward Middleton, it being in the night, but hee the said Colson could not be spoken withal. Because (as the said Edward Middleton tould the said Holt the next morning) if hee should have come in, shee would be gon. Not long after the said Holt and Susan Baily mett together in Smiths house aforesaid, but noe words passed betweene them at that tyme. But about a fortnight after they had been together in David Mings house, hee was taken ill in his left Shoulder and his left Arme. Since which tyme he hath bin, and often times is in extreme paine. And cannot follow his Tailery calling, though he be capable of doeing any worke in the grounds or without doors without any paine or misery.

THOMAS HOLT.

HENRY TUCKER Secretaire.

Warrant by Sir John Heydon Knight & Governor 21 June 1671.

Whereas Susan Coale (lately Susan Bailey) hath bin legally conuicted for the Sinne of Witchcraft at the late Assizes, and the Sentence of death hath bin pronounced against her. Uppon waighty considerations I have thought fitt to reprieve her, and hereby require you not to Execute her, but to returne her person to the prison untill you shall receive further Order from this Government to put her to death according to the Sentence aforesaid. Whereof fail you not, and for your soe doeing this my Warrant shall be your discharge. Given under my hand at St Georges the 21st day of June 1671.

To Mr Anthony Jenour.

20. *Martha Franklin.*

Presentment and trial of Martha Ffranklin Assizes 27th May 1672.

Bee it inquired for our Sovereigne Lord the King Whether Martha ffranklin, the wife of Richard ffranklin of Pagetts Tribe, in the aforesaid Island bee not guilty of the Detestable sin of witchcraft whether she the said Martha hath not malitiously, wickedly & diabollically, on or about the Moneth of January or ffebruary in the yeare of our Lord one thousand Six hundred Seaventy & one, put in practice the Killing, wounding & waste and pineing away of the Cattle of the said Humphrey Coverlie, to witt in his the said Humphrey Hoggs, Sheepe, Cattle, ffowles, &c. And also whether the said Martha be not guilty of the burning downe of a house of William Duck about five yeares last past, And whether she be not guilty of speaking daingerous words wch: causes her to be suspected for witchcrayft, Malitiously and ffeloniously against the peace of our Sovereigne Lord the King, his Crowne & Dignity & wholesome Lawes in such cases made & provided.

To wch Indictment the said Martha ffranklin hath pleaded Not Guilty, And hath put herselfe upon God & the Country, wch: being a Jury of twelve Sworne men, they found her not Guilty. And thereupon she was quitted by Proclamation.

21-22. *Gillian Abbot and Elizabeth Ward.*

At a Council Table held in the Gouernmt Hall march 12 168$\frac{3}{4}$, then present

The Hon Colonell Richard Coney Gouernr
Capt Henry Durham[1]
Captn John Hubbard, *Sheriffe*
Mr Richard Stafford
And others of the Council.

(1) Gillian Abbot accused by Mr Edwin Mallory for suspition of witchcraft His daughter Jane being strangely taken sick and lame Hee suspects she is bewitcht by the said Gillian Abbot.

(2) Elizabeth Ward accused by Captain John Hubbard Sheriffe for suspicion of witchcraft Hee having a negro girle strangely taken sick, wasting and pining away in such an unusual manner that he suspects she is bewitched by the said Elizabeth Ward.

Ordered that there shalbe women Impannelled and sworn to search the bodies of the said Gillian Abbot and Elizabeth Ward which accordingly was done, and they made a returne upon oath to the Gouernor and Council (MS. vii. p. 127). The return is not entered.

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[1] Ex-Governor.

23. The following entry, for which the editor is indebted to Provost Marshal J. Trott, occurs in the Quarter Court records for the year 1696 (p. 55), and completes the actual indictments for witchcraft in Bermuda. The very curious case of Sarah Bassett, an old negress burnt in June 1730 for attempting to poison her master's family, although popularly referred to that category, was really a case of *petit treason*, and her trial and sentence are perfectly regular in form.[1]

Sarah Spencer.

The daughter of M^{rs} Harmon late of Somerset, deceased upon Oath declaring That Sarah Spencer widd^{w} did afflict y^{e} body of y^{e} said Sarah Harmon and it was she y^{e} s^{d} Sarah Spencer or y^{e} devil in Her likeness. The said Sarah Spencer was by Court committed to prison till y^{e} next Assise & General Gaol delivery, or till she be delivered by due Course of Law; on an accusation of witchcraft.

It does not appear what became of this unfortunate woman. There is a locality called Harmon's Bay in Somerset Island.

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[1] The sentence was delivered by Chief Justice Outerbridge on 5th June, in these terms:—'It is the judgement and sentance of this Court. That you Sarah Basset the prisoner at the Barr, be returned to the prison from whence you came, and from thence you are to be conveyed to the place of execution, where a Pile of wood is to be made and provided, and you are there to be fastened to a sufficient stake, and there to be burnt with fire until your body be dead. And the LORD have mercy on your soul.'

Tradition records the locality of this tragedy, at the head of Hamilton Harbour, and remembers that the day of the poor woman's execution was one of extraordinary heat, whence a broiling summer day in Bermuda is often described by the coloured people as 'a regular Sarey or Sally Bassett day.'

XI.

APP. XI.

The following letter from Sir John Heydon and his Council to the Company, the first which bears his signature, was accidentally omitted from its proper place. It should have followed par. 8, p. 291. It is a good example of such communications, of which there are 14 preserved, extending in date from 1668 to 1677, and it shows the usage of the Council when they were not unanimous.

The Governor and Council Bermuda to the Company London 22 June 1669.

Hono^{ble} Companie

(1) Your Gen^{r}all Letter from Armerers Hall London Dated the 9th of March 1668 in a Box sealed with others of publique and private concernment transmitted per your Magazeene Shipp. Capt. John Jenkins, Comand^{r} through Gods blessing came safely to hand, we wish seasonably, the 15th of May last past. A time of yeare when our best fruites are not mature nor any convenient fraight of good Tobacco canbe expected—yet wee hope our honored friends and members of the company will take in good part what may be sent.

(2) Upon p^{r}rusall of your letters wee meet in the first place with a reprehension for mistaking y^{r} Hon^{rs} com̄ands about shipping twentie tunns of whale oyle aboard Captain Morlie, not directing *sic* to the produce of that yeare or of the fishe of the yeare before, but of such a quantitie of oyle. And if the masters com̄ands be soe uncertaine how shall the seruant render due obedience. Wee are hartilie sorry that mistake should proue soe much to your detriment in *sending* the dreggs for the Port of London and reseruing the best oyle for ourselues. Wee beseech you search this wound to the bottom otherwise noe cure. The two first yeares if remembered your vndertakinge receiued encouragement, ever since obstructed possibly by some that minded themselues more than the publique. By orders the fishinge when intermitted, and the Husbands and Agents left to consider their losses and debts and how to recover them. A noble and hopefull enterprize become ineffectuall by miscarriages, whether here or there wee leave to y^{r} better judgements. Wee find upon y^{r} Husbands accompts 1664, 44 hhds of whale oyle with blubber and 400 w^{t} of ffinns sent for London by Elias H——.[1] By Thomas Leach 117 hhds of oyle an^{o} 1666, By John Faulkner 1667 47 Tunns and a half of oyle. By Capt^{n} Thomas Morlie 17 Tunns of Oyle 1668. The commissioners began here to order in the yeare 1666, since when with the two former yeares have been sent

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[1] The ship was the 'Elias of' London, Captain Elias Holmes.

for London 131 tunns of oyle. Wee send you this accompt from hence that we may know whether it agreeth with what you have received alreadie, you have bin pleased to send Hoopes dry Caske *for* a Copper, which are layd vp, the number of which with your former vtensils that are left wee send you herewith a true accompt of.

(3) A Generall Assembly according to your Order hath bin summoned, and met the 8th of this instant June in Pagetts tribe (not at S^t^ Georges the usual place) by reason the town had bin visited with Small Pox, a disease dreadfull amongst them. *They* rose the 12th when the Governor and Councell were desired to be present, to communicate their proceedings to them. In the first place the whale fishing was taken into consideration. And your new condescencon of the moiety was received with all thankfulness. But to the other Propositions, their answers being different, with some other requests in the nature of grievances Certifyed in a Booke herewith sent, to be the debate and result of that meeting, humbly submitting them to your more serious prudent determination.

(4) It is generallie desired you would despatch a shipp of some burthen to be here with Gods blessinge before the ffirst of Decemb^r^ next. The weather hauing bin seasonable there is a likeliehood of a croppe *earlier than* in former yeares, and that the Magazeene shipps may moue hence yearly for the Port of London with oyle, fruit, and Tobacco in thier season. . . . .

(5) According to your orders touching the negros brought to these Islands from Turtola by Captain John Wentworth we refer your Honor^ble^ Societie to the Councell Table Orders, and his Maiest^s^ Letter herewith transmitted for your satisfaction un*til wee receive furth*er order from you. Wee haueing likewise herewith sent you the accompt of what negroes and vnto whome haue *been form*erly sould by Captain John Wentworth of his people here Recorded. It being to be vnterstood that many of those negroes were bought and sould but not recorded, more for saueing of charges than for any sinister end (as wee consider) But in whose hands they are wee shall not faile by our next to discouer vnto you, or at least doe our endeauor therevnto, according to your expectation and order lately and formerly transmitted.

(6) Whereas you haue bin pleased to order M^r^ John Burch Councellor of Sandys Tribe, deceased in his returne for England Wee haue thought to make choyce of Captain Christopher Burrows for the officiating of the aforesaid place, whoe is likelie by or before the returne of the shipp to remoue vnto another Tribe. If therefore you shall be pleased to appoint som other person, or Captain ffiorentius Seymer to be Councellor for that Tribe, Wee shall accept of him to be a fitt coadiutor in Gouernm^t^ which (though his wife be a Quaker) may be seruiceable to you, that Tribe, and the Generalitie with vs.

(7) Whereas you haue required our intimation vnto M^r^ Thomas Brereton that you expect the payment of his Rent according to his Lease, to your court yearly, your Order hath bin accordingly obserued. And wee doe make bould to craue your indulgence therein

towards him, the which hath hitherto paid his yearly Rent of three pounds sterlg by the order of your subordinat Gouernmt, for the ease of the Generall Leuie or to your court, It haueing bin presumed that your Court would as readilie allow of Breretons rent to be iniected for the ease of the Generall concerne as the Rents of yr Publique Lands from tyme to tyme by you allowed.

(8) Wee craue yr resolues by the next, touching the action of £40 Sterlg, and the Appeale therevppon, depending betweene Capt George Hubbard and Mr Ffrancis Watlington Defendt, two yeares since transmitted, but noe determination therevppon from yr Court returned, Mr Will. Webb of yr Court haueing written vnto Mr Watlington that the proceedings therevppon haue bin staied: soe that Captain Hubbard hath bin denied an execution vntill the returne of the next shipp, the aforesaid Watlington haueing brought one Mr Samuell Wise now bound for England to depose vppon oath before vs (Captain Hubbard present) that hee the said Watlington did tender fortie shillings according to an award betweene them.

(9) Wee returne you heartie thankes for your more than ordinaire favours extended to Mr Nathaniell White Minister (about nine moneths last past deceased,) whose widdow is and may be continued in the Gleabe house and Lands of Southampton & Sandis Tribe, vntill another incumbent shall be by yr Honble Societie sent ouer to be Rector thereof, which ancient Widdow may be an apt obiect of yr pittie in affording to her your munificence soe farr as you shall think fitt, Whereby the other ministers and their Wiues will receiue good encouragement to expose themselues to trouble and hardshipps hereafter in their cuming ouer to help vs, the spirituall labourers amongst vs being at present but few, and as your care paynes and charge hath bin great in supplying vs with able men for the strengthening vs in our spirituall progres, soe wee trust you wil continue vnto vs the same honorble Patriots as hitherto you haue bin, by incouraging able ministers, euen by yr next shipp, to visit and reside with vs.

(10) Whereas wee haue bin lately informed that 18 men of warr to predominate in and about the Caribe Islands,[1] to the utter ruine of the English and Dutch (in their estates at least,) both at Sea and Land, and soe farr as wee know, they may the next summer if not this, enuade these your Islands to the effusion of bloud, and the vtter ruine of vs and ours. Wee holding it to bee a dutie incumbent vppon vs (for the pr.servation of our owne persons and estates, as likewise for your Rights and Interests) to intimate the same to your Honors, greatly hopeing and expecting that you will sympathize with vs herein, and effectually supplie vs by your next shipp with suitable supplies of ammunition and armes, for our courageously opposing and repelling insolent and invading enemies, in case they should attempt the subdueing and subiugating vs vnder their antichristian Gouernment, from which the Lord deliuer vs.

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[1] This was probably the fleet of Morgan the Buccaneer; he had attacked the Spaniards in Cuba with twelve ships the previous year, 1668, and attacked Maracaibo in March of this year with seven ships (see Southey's 'Chronol. Hist. of the W. Indies').

(11) Your order for M^{r} Samuel Smith his enlargement hath bin punctuallie obserued, the which in our Judgement hath deserued the character of a conscientious and industrious person in his aforesaid ffunction, not haueing failed in his preaching the word of God since his arriuall in these Islands, in his owne or som other Church euery Lords day, The which for his vindicacon, hath craued to haue the copie of his ministerial orders and certificat transmitted vnto your Hon^{ble} Societie to scan the validitie thereof, hee not doubting that you will pronounce them sufficient . . for the improuement and propagacon of the Gospel of Jesus Christ . . administering the Lords supper, as likewise of catachizing in the Pulpit . . *the people in his* charge haueing hitherto approued and embraced him in the p^{r}mises. Although *since that* discou*rse hee hath* bin by others maligned and pronounced to be vncapiable of officiating as aforesaid, for want of Episcop*al ordination.*

(12) As you haue been pleased to gratifie the desires of the last generall Assembly, by a wholesome Lawe for the raising of the coyne amongst vs videlzt Pieces of eight, half pieces and quarter pieces of each sort, Soe wee the Gouernor and council (as well as the late assemblie) doe humbly craue, that you will by your next order the raising of the halfe quarter pieces als Royall, or sixpenies, Mexico Seuill and Pillar Royalls at 8*d* per piece, and the Perue Royalls at 7*d* per piece to pass current among vs.

(13) The present Sheriffe accordinge to the dutie of his place, was diligent in sending home an accompt of what armes and ammunition was wanting amongst vs the last yeare, vnto which accompt wee refer you, desireing you to consider or at least to giue an allowance for what ammunition hath bin spent this last yeare, and not to fayle of sending a generall supply both of the one and of the other, wee meane of Arms and Ammunicon by y^{r} next shipp. Wee doe further humblie request you to send plentie of Armes, Bastard musquet bore, one halfe matchlocks and one halfe fierlocks, carbine length, of one and the selfe same bore, that one sort of shott may fitt all the armes you send ouer. And that you will be pleased that care may be taken that the armes may be good and seruiceable, and not like them formerly sent, most of which were defectiue before they were vsed. And that you will be pleased that care may bee taken that the shot be all of one size suitable to the bore of the armes you send ouer. A gen^{r}all want of swords and belts, which wee desire may be sent with the rest by y^{r} next Wee further craue for the vse of the Kings Castle, and the three fforts eyght barrells of Barr shott.

Thus leaueing your Hono^{ble} Societie to the p.tection of the Almighty, wee rest

Your freinds and servants at command,

JOHN HEYDON, D. GOV.
Ffrances Tucker
Hen. Moore (negroes excepted)
Jonathan Turner

Thomas Wells
John Darrell Sen^{r}
Godheard Asser
Christ. Burroes

Signatures Continued—

Henry Durham (the case of M^r^ Smith, and the negroes proceedings excepted)
William Sayle (herevnto I subscribe except the clause about M^r^ Smith and the negroes)
Samuel Whalley (herevnto I subscribe except the clause about the whale fishing, M^r^ Smith, and the Negroes, wherein I joyne with the Assembly)
Richard Stafford Sher. (I doe hereto subscribe except the clauses about Captain Seymour, and M^r^ Smith)
Henry Tucker, Secretary.

XII.

APP. XII.

Reference has been made at p. 460 to a public disputation with the Quakers held by the Rev. Sampson Bond in May 1678. The Preface to Bond's published account of this affair gives some particulars of what led to it, which are worth preservation.

A Publick Tryal of the *Quakers* in *Barmudas* upon the first Day of May 1678. By Sampson Bond late Preacher of the Gospel in Barmudas.

Boston in New England, 1682.

The Preface to the Christian reader:—

Being lately informed, that the Quakers had left a Paper (with a gentleman in this Island) intimating a chalenge to the ministers here, viz. whether the ministers God or the Quakers God were the true God, little notice was taken of this their folly: in a short time afterwards a justice of the peace acquainted me that a Quaker brought him a Letter, and would have him deliver it unto me, but he refused to receive it from him. And some few dayes after this, an honest neighbour told me, that the Quakers had reported up and down the countrey so That I would as soon take a Bear by the tooth as dispute with them: and withal that thereby the leading Quakers did confirm and increase their party: Hereupon I sent unto them (a synagogue of libertines) the charge in the title page asserted [being answers to three short Questions] and in the paper (which was sent the 15th day of April 1678) they were informed that I would be ready to prove (from the Holy scriptures) the charge against them: upon the modest motion of any one or more Quakers in the Islands (on any Lecture day in Devonshier Tribe church) in order to a regular and peaceable disputation, for the investigation of the Truth of the true god, which paper the Quakers received and accepted. And according to the general directions therein given, they came (the first day of May following) to the place assigned (but without giving me any special notice of it) Then Francis Eastlack a Teacher amongst them moved for a performance of my promise in reference to the charge (which he called a chalenge) under my hand against them: I forthwith told him that I was ready by Christs help to do it, howbeit by the way (as I told them) I thought it fit to signifie unto them so That as they had accepted the Paper which I had sent to them, so they had thereby bound themselves to all the terms and

APP. XII. conditions therein expressed: as namely—1. That the Disputation is to be Regular; that is to say, I am (in the first place) to prove the whole charge, without any interruption from any one of you. That then any one or more of you may (without interruptions from me) answer my arguments, or give your assent. 2. That the disputation is to be peaceable: that is to say one person only (at a time) is to answer, That the Disputation may not end (as usually such kind of Disputes have done) in an unprofitable confusion, but to the satisfaction of the numerous and judicious Hearers and that at the end of all They may judge (according to the scriptures of Truth) between you and me Let me hear pray the Reader to take notice that not any thing said by me (touching the Regular and Peaceable Disputation) was gainsaid by any of them, whose silence was (by all the Hearers) taken for their full consent: yet notwithstanding herein they declared themselves most unfaithful, for they frequently interrupted me, more especially by casting in impertinent objections, ere I had half answered this or that scripture which some one or other of them had proposed, thereby in design (as I thought) to obstruct the special matter, ready to be uttered for the satisfaction of the attentive hearers: which urged me (as I must confess) inadvisedly to say that what I had, and should then have declared, I would cause to be printed, that full returns might be given to the objections made, and scriptures wrested by them: saying If I could not be heard I would be read: herewithal, I cannot deny, but that I have in the returns inserted sundry things from judicious authors (for confirmation) or further explication which I might not then have alledged, though I had not met with any interruption at all, and forasmuch as some of them have (as I am informed) since said that their business was not managed aright by them, and that some things were forgotten to be spoken, not only these but all other things which might seem for their advantage I have (in their due places) set down and answered: upon the whole I do assure the Reader I should not have given myself this trouble: had they not (by their manifold interruptions) provoked me to make that inconsiderate open promise as above, concerning which many of the hearers have since been my frequent Remembrancers, and probably others may be ready (on default of performance) to reflect slanderously upon me, whose reviling rudeness is but too well known, and so farewel.

SAMPSON BOND.

This insueing Discourse had been printed sooner, had not M^r John Forster (the Printer) been disenabled by a tedious sickness of which he died.

I am indebted to Mr. Noel Sainsbury for the following interesting Letter, recently found among the Shaftesbury Papers, in the Public Record Office, § IX. No. 26. The writer, Captain William Sayle, had left Bermuda in the previous month of February,[1] and consequently before the proceedings against Rev. Sampson Bond, which are recorded at p. 330 *et seqq*. The testimony borne to his piety and zeal is, however, so honourable to the man, that justice requires its insertion, after the many unfavourable traits in his character which have come before us. Captain Sayle died towards the close of the year.

The original is endorsed in the handwriting of John Locke, whose intimate relations with Lord Ashley are well known, and who was the author of the 'Constitution of the Carolinas.' Lord Ashley's portrait may be seen at Charter House School.

William Sayle to Lord Ashley, June 25th, 1670.

Much Honrd and Noble Lord,—

I hope yo^{r} lord^{sp} hath rec^{d} an acco^{tt} (Long before this tyme) of Gods providences and dealings with yo^{r} Servant and Colony here in Carolina from my selfe, Mr. West, &c. Though we are (att present) under some straights for want of provision (incident to the best of New Plantac̄ons) yet, we doubt not (through the goodness of God) of recruits from sundry places to w^{ch} we have sent. But there is one thing w^{ch} lyes very heavy upon us, The want of a Godly and orthodox Minist^{r}, w^{ch} I and many others of us have ever lived under, as the greatest of ou^{r} Mercyes; May it please yo^{r} Lord^{sp} in my late Country of Barmudas, there are diverse Minist^{rs} of whom, there is one Mr. Sampson Bond, heretofore of Long standing in Exeter Colledge in Oxford, and ordayned by the late Byshop of Exeter, the old Do^{r} Joseph Hall; And by a Com̄ission from the Earle of Manchester and Company for the Sum̄er Islands, sent There in y^{e} yeere 1662 for the term of three yeeres, under whose powerfull and soul-edefying Ministry I have lived about eight yeeres last past; There was nothing in all this world soe grievous to my spirit, as the thoughts of parting with his Godly society and faythfull Ministry; But I did a little comfort my selfe, that it might please y^{e} Lord by some good meanes or other to enclyne his heart to come after us, who hath little respect from some who are now in Authority in Barmudas, w^{ch} is a great discourag^{mt} to him; w^{ch} Is taken notice off in other places, and he is invited to Boston in New England, and to New Yorke by the Governo^{rs} there, with tenders of Large incouragements, If he will come to y^{e} one or other place[2]; I have likewise writt most earnestly to him desiring that he would come and sit downe with us, Assuring him it is not only my urgent Request but withall the most hearty request of y^{e} Colony in Generall, who were exceedingly affected with him and his Ministry all the tyme they were in Barmudas, And we shall all have assured

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[1] See Vol. I. p. 737.

[2] See p. 289.

APP. XII. 1670.

Cause to Bless God for him, so long as we shall live, might he be gained to be ou^{r} settled Minist^{r} S^{r} John Yeomans was soe much affected with him, That he promised me he would procure a Com̄ission from the King to make him ou^{r} Minist^{r} and to the uttmost endeavo^{r} to procure him a Considerable sallary for his incourage^{mt} But I can heare of nothing done by him herein, w^{ch} hath imboldened me (in the name of all y^{e} rest) most humbly to beseech yo^{r} Lord^{sp} to put on bowells of great Goodness and Compassions towards yo^{r} Colony here, in procuring (w^{ch} yo^{r} Lord^{sp} may easily and speedily doe) a Com̄ission and Competent sallary for him for about five or seven yeeres, (till the Lord shall enable us to mayntayne him ou^{r}-selves) to be paid to him or his assignes in London, Barbadoes, or elsewhere; I doe most faythfully assure yo^{r} Lord^{sp} that this Mr. Bond is so well knowne, well reported off, and so beloved in most the Carabee Islands, That were it knowne abroad that he were yo^{r} Minist^{r} here It is the iudg^{mt} of sundry prudent persons, It would (in a little tyme) gaine many hundreds of Considerable persons to this place; oh, that It might not be deemed too much boldness in me, to beseech yo^{r} Lord^{sp} with y^{e} desired Com̄ission to hono^{r} him with yo^{r} Lett^{r} w^{ch} If it be sent to yo^{r} Com̄issio^{rs} att Barbadoes, It will soon be dispatcht to him; I shall not (att p^{r}sent) give yo^{r} Lord^{sp} any further trouble, takeing my leave with my fixed purposes to the uttmost during life to further this yo^{r} Lord^{sps} (hytherto) Blessed Designe, ever praying for an encrease of those yo^{r} manifest favo^{rs} of all kinds and degrees of eminent Gifts and graces from God, and likewise for an encrease of yo^{r} most deserved Hon^{r} and Noble dignityes from his sacred Maiesty.

Resteth yo^{r} Lord^{sps} in all humility and ffaythfullness to Hono^{r} obey &c

WILLIAM SAYLE

ffrom Albemarle Point
in Ashley River, June 25th 1670

For the Right Honourable Anthony Lord Ashley at Little Exeter House in the Strand

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Lord Ashley to Governor Sayle.

[Extract]

In answer to your desires concerning Mr. Samson Bond wee writ formerly both to him and you, to let you know that if he would come to Carolina he should have 500 Acres of land £40 per an̄n and an house, but though wee allow him this salary and allotment of land to be the Preacher among you, yet wee give neither him nor you authority to compell any one in matters of religion, having in our Fundamental Constitutions granted a freedom in that point which wee resolve to keepe inviolable

I am Your very affectionate friend

ASHLEY.

Exeter House 10 April '71.

[P. R. O. Shaftesbury Papers. Section ix., No. 55, pp. 15–17.]

XIII.

Instructions from the Crown, relative to the Royal Revenues.

APP. XIII.

1686.

The Governo^{r} of Bermudas concerneing y^{e} Revenue.

To Our Trusty and well beloved S^{r} Robert Robinson Kn^{t}. Our Lieuten^{t} Governo^{r} and Com̃ander in Chief of Our Islands of the Bermudas or Sum̃er Islands in America. And to y^{e} Governor or Com̃aunder in Chief for the time being there.

JAMES R.

Trusty and Well beloved Wee Greet you well. Whereas for the better Support and protection of our Severall plantations and Dominions in America, Wee have Established here such Councills as may provide as well for the particular Wellfare of every one of them, as for the preserving Our Royall Authority and the Governement derived from thence in our said Severall Collonies and plantations. And thereupon takeing notice That it is a Matter of the greatest Importance, and highly necessary for the good of our Subjects, that all such Rents, Revenues and proffitts as belong and Accrue unto us, as well in Acknowledgem^{t} of Our Royall Dignity as for the better carryeing on Our Service and Support of Our Governement in those parts should bee closely inspected and brought into a certaine Method and direct way of Account. And for the avoyding of such neglects and occasions of Mismanagement as may happen upon the place for want of a due Inspection, Regulation and constant care of some person whose proper duty and appointment may inable and impower him to bee usefull unto us and our Ministers here by calling to an Account such as shall bee any wayes concerned in the collecting, Receiveing or Accounteing for any of our Rents, Revenues and proffits whatsoever ariseing within our Islands of the Bermudas or our Summer Islands. Wee have therefore given strict Order to Our Trusty and Well beloved William Blathwayt Esquire, Our Surveyor and Auditor Generall of All Our Revenues in America carefully and diligently to pursue Our Service and perform his Duty in Relation to Our Revenue in those Our Islands Com̃itted to your Governem^{t}, And to the end that the Trust reposed in him may bee duely executed without any impediment or interruption whatsoever, Wee doe hereby strictly Com̃and you and the Com̃ander in Cheife of those Our Islands for the time being, And it is as a principle Instruction to those you have allready received from us, That you give to him the said William Blathwayt, and such as shall bee imployed by him in the Affairs aforementioned all such assistance as may tend to the most Easey Execution of his said duty. And that you take especiall care, that speedy and Effectuall Iustice be Administred in all Causes that Concerne Our Revenue. And that you doe alsoe direct and give in Charge to All persons whatsoever to whom it may belong to Act or intermedle with any part of Our said Revenue and profitts ariseing within your Governement. That setting all Excuses aside, They doe punctually and readily pursue such directions as they shall receive from Our said Surveyor and Auditor Generall accordeing to the powers and Authority graunted unto him in that behalfe. And that they doe from time to time and by all opportunities transmit unto him the perticuler Accompts of Our said Revenues of what Nature soever they bee. To the End the same may bee represented by him unto Our High Treasurer, and Our Service thereby effectually carryed on. And that you give all such persons and others whom it may concerne to understand, That as wee are graciously inclined to apply such of Our Revenues as accrue within Our said Islands to the imediat use, support and Security thereof. Soe wee are Resolued to hold a Strict hand upon the Execution of theire Respective Duties above-mentioned. And that theire Neglect therein will draw upon them the Consequences of Our just Displeasure. And theise Our Comands together with the Letters Pattents graunted unto the said William Blathwayt, Wee doe hereby direct and require to be entered in the Publique Register of those Our Islands, that noe person may pretend Ignorance thereof. And that the same bee deemed good and Effectuall in the Law to all intents and purposes whatsoever within Our said Islands under your Governement. And soe Wee bid you Farewell. ffrom Our Court at Whitehall, the 23^rd^ Day of Nov^ber^ 1686 in the Second yeare of Our Raigne.

By his Ma^ties^ Command

ROCHESTER.

XIV.

Papers illustrating the position of the Governor under the Crown in relation to Public Worship, and to Education.

APP. XIV.

1694.

(1) By his Excellency John Goddard Esq^{re} Governor and Ordinary of these Islands.

To John Fowle Clerk

Vpon your request to me made Expecting in all things to be obedient and observant to mee from time to time in your Function and Office In relation to the exercise of preaching, and other your ministeriall Offices.

These are to Lycense and authorize you the said John Fowle according to your usuall practice to preach in and throughout these Islands And to Instruct the people in the Principles of Christian religion And laying aside all unnecessary disputes, and avoiding all Reflections vpon the established church of England you are hereby required to exhort the People to a good life By preaching repentance towards God and ffaith towards our Lord Jesus Christ and Instructing of them In those necessarye Articles of ffaith wherein all Protestants Generally agree And for your soe doeing This shall be your warrant Given vnder my hand & y^{e} Publicke seale of these Islands the seaven and Twentieth day of March In the yeare of our Lord 1694.

John Goddard.

(2) By his Excellency John Goddard Esq^{re} Governor & ordinary of these Islands.

To Nathaniell Astwood of Warwick Tribe

Knowe you that out of the Trust and confidence I have and Repose in your ability honesty and Industry I the Governor and Ordinary aforesaid Have given and granted, and by these presents do Give and Grant vnto you the said Nathaniel Astwood, full power Lycense and authority to keepe a Publick School in these Islands Therein to teach and instruct all such children and youth as shall come or bee sent vnto you In spelling, reading and Learning according to the best of your skill experience and knowledge And that you take care and provide that they may Learne the Creed, the Lords Prayer and the Ten Commandments in the vulgar Tongue and all other things which a Christian ought to knowe and believe for his

1694. souls health you therefore Taking receiving and Perceiveing to your own use and benefitt all reasonable sattisfaction recompense and reward for your care and encouragement in manageing exerciseing and performing In and about the premisses Provided alwaies that these presents shall continue in Force dureing my pleasure only. Given under my hand and the Publick seale of these Islands, &c., 15 October 1694.

JOHN GODDARD.

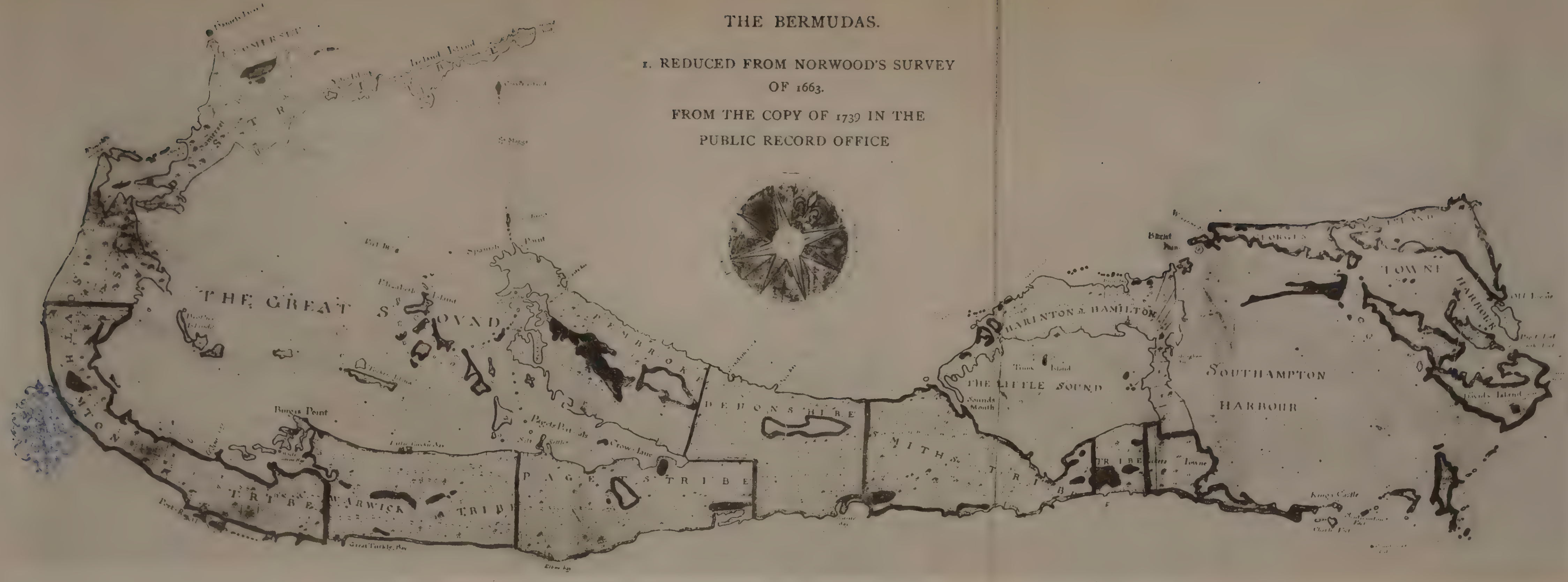
It appears by the Devonshire Parish Book that the Rev. Mr. Foules officiated there in 1704—probably the same as the Rev. J. Fowle—receiving a remuneration of 16 shillings for each and every Lord's Day that he should preach in the parish church. An application made in March, 1700, by the Parish, to the Church of Boston in New England, 'to procure a minister of the Gospel of Christ to be with all convenient speed transported to these Islands here to officiate in the Gospel aforesaid,' would therefore appear to have been unsuccessful : but the fact is a proof that nonconformity was still predominant in that parish.

To Face Page 645.

I

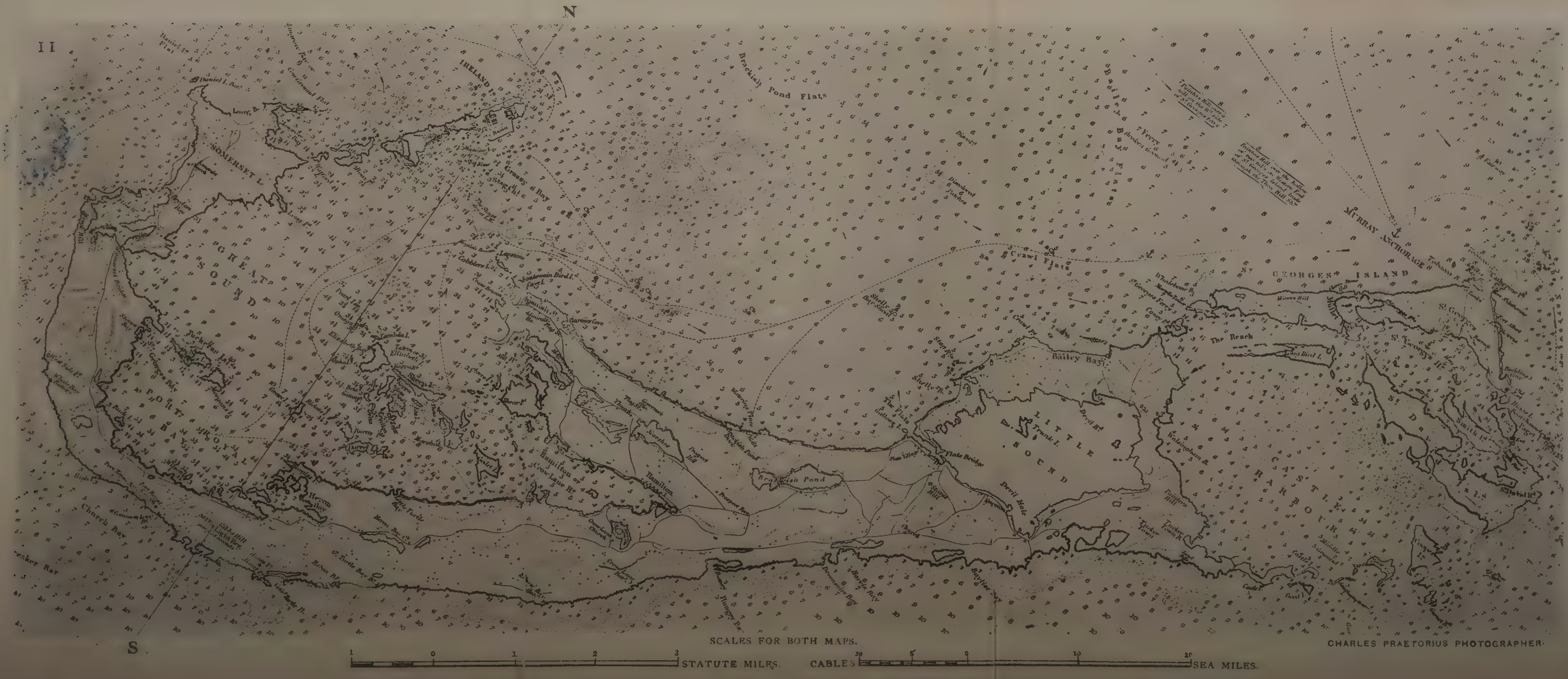
THE BERMUDAS.

I. REDUCED FROM NORWOOD'S SURVEY OF 1663.
FROM THE COPY OF 1739 IN THE PUBLIC RECORD OFFICE



II. REDUCED FROM THE ADMIRALITY CHART OF 1874.

II



SCALES FOR BOTH MAPS.

CHARLES PRAETORIUS PHOTOGRAPHER.

XV.

NORWOOD'S BOOK OF SURVEY OF 1662–3.

APP. XV. 1662–3.

The document now for the first time printed in this Appendix, not only preserves a multitude of details respecting the first settlement of Bermuda, and the changes in the tenure of Lands effected in the next half century; but it also furnishes a statistical basis heretofore wanting for a number of desirable measures relating to local assessments, the franchise, and other matters of public concern. It is the best and perhaps in some cases the only authority as to the limits and boundaries of estates, and often appealed to in cases of dispute, which, owing to the destruction of boundary fences, are not rare. There is little to add to the account given in the Preface to Volume I. of the Book itself, but a Despatch of Governor Alured Popple has been found, which supplies some particulars.

'Mr Norwood,' he says, 'left his original Map and the Book particularly explaining the several possessions of the then Inhabitants to a Daughter [1] as a legacy worth £50, and notwithstanding that upon every controversy about Lands here, all parties had constant recourse to this Map and Book, yet the Government of Bermuda never bought them from the Descendants of Norwood, so that the owner rather chose to sell them to me at a less price, than to keep them any longer as a curiosity only. I sent this Map to my brother, that your Lordships might have a copy of it, and that Mr Lempriere might correct any little error he should find in his own.' [2]

The Committee, or Board of Trade, had the Map copied on vellum by Gabriel Matthias; and of this copy formerly in the State Paper Office, but now in the Public Record Office, a copy was furnished to the Colony in 1843 or 1844.

The Map annexed to this volume is a faithful reproduction of Norwood's, on a reduced scale, and its close correspondence with the outline of the Islands according to the latest Admiralty

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[1] Governor Alured Popple to the Lords of the Committee of Council for Trade and Plantations, 28 Feb. 1739–40. 'Colonial Papers,' Bermuda, 14.

[2] See his Will, *ante*. p. 425.

APP. XV.
1663.

chart, is the best testimony to the skill and fidelity of the old Surveyor.

A Survey of Sommer Islands sometimes called Bermudas Lying in the West Indies in the Latitude of 32^{d}: 20^{m} namely the northermost part in the latitude of 32° $24\frac{1}{2}^{m}$ and the southermost in 32^{d}: 15^{m} and in Longitude from London neare 64^{d} : 00^{m} with all the Islands and lands there or thereunto belonging[1]

Taken there according to the order and appointment of the Right Honorable the Governour and Company of Adventurers for these Islands Anno 1662 and 1663 the perticulers whereof are here expressed, the numbers against ech parcell having reference to those parcells as they are described in the mapp or description of this Country herewith sent

By Richard Norwood S.

The names of the Adventurers I have set downe according to the best information I could haue here, wherein if any error hath happened, or in not giving any man his due titles &c̃, it was for want of better information w^{ch} I hope wilbe amended or pardoned.

ST GEORGES ISLAND

			A.	R.	P
1	The Governo^{r} holds of the hono^{ble} Company as belonging to his place, twelve shares of land at y^{e} east end of S Georges Island cont̃ ꝑ estimat̃		300	0	00
	Namely in the occupation of				
	David Stoakes ꝑ estimat̃	1 sh			
	Joseph Goodfaith ꝑ estimat̃	1 sh			
	John Mills ꝑ estimat̃	1 sh			
	John Mills ꝑ estimation	$0\frac{1}{2}$ sh			
	John Bedwill ꝑ estimat̃	$1\frac{1}{2}$ sh			
	Robert Powell ꝑ estimat̃	1 sh			
	Cornelius Evans, Matthew Norman and Roger Browne, ꝑ estimat̃ . . .	1 sh			
	Alexander Smith ꝑ estimat̃	1 sh			
	John Welsh, John Bristow Marshall, Roger Baily, Hannah Holloway, Edward Middleton, Tho. Shaw, John Hurt these seaven hold ꝑ estimation	2 sh			

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[1] The entrance to St. George's Harbour, to which the Longitude probably applies, is in 64° 41′ very nearly. Lempriere placed it in 63° 48′, 'computed by observations made by two eclipses of the moon in 1722 and 1726' (Gov. A. Popple.)

		A.	R.	P.
	The residue of these twelue shares are in y^{e} occupation of the Governo^{r} himselfe.			
2	Gleabe in the tenure of M^{r} Samuell Smith y^{e} present Minister there, two shares cont̃ ꝑ est̃ .	50	0	00
3	The shreife M^{r} John Nicholls, as belonging to his office four shares of land cont̃ p^{r} estimat̃ . .	100	0	00
4	The Secretary M^{r} Henry Tucker, as belonging to his office, holds of y^{e} Hono^{bl} Company 2 sh cont̃ ꝑ estimation	50	0	00
5	M^{r} John Vaughan, holdeth by lease from M^{r} Caswell of the Companies land, 1 sh : cont̃ ꝑ estimat̃ .	25	0	0
6	Leiftennant Edward Brackley holdeth of y^{e} hono^{bl} Company at will two shares cont̃ ꝑ estimat̃ .	50	0	00
7	M^{r} John Bristow Marshall holdeth of y^{e} hono^{bl} Company as belonging to his place 2 sh cont̃ ꝑ estimat̃	50	0	00
8	M^{rs} Stalvers holdeth of the hono^{ble} Comp: as belonging to the fferry 2 sha : cont̃ ꝑ estimat̃ .	50	0	00
	Summ is 27 shares			
	But the whole Island (as formerly measured) contaynes, 706 acres that is 28 shares and 6 acres			

THE SMALL ISLANDS NEARE S GEORGES

		A.	R.	P.
9	Two Islands against y^{e} east end of S Georges lying in Common cont̃	05	0	06
10	Pagets ffort, whereof Cap^{t} ffrancis Tucker is commander, with the Island whereon itt stands, sometimes called Pennistones Island, and a tenement or dwelling house there, in y^{e} occupation of Leift Jonathan Stoakes as belonging to the ffort cont̃	31	1	18
11	Smiths ffort whereof Cap^{t} God-heard Aser is commander y^{e} Island cont̃	00	2	30
12	Smiths Island, in the Tenure of Cap^{t} God-heard Aser from the hono^{bl} Company as commander of Smiths ffort containing	61	2	10
13	An Island called Hen-Island neare y^{e} west end of Smiths Island lying in Common and cont̃ .	03	1	04
13	A small Island lying betweene Hen-Island afforesaid and smiths Island lying in Common and cont̃ .	00	1	20
14	Long-bird Island, In y^{e} tenure and occupation of James Stirrop and Ralph Wright weavers w^{ch} they hold of the hono^{bl} Company cont̃ . .	46	2	06
15	Conny Island lying at burnt point, in y^{e} occupation of M^{r} Henry Stalvers cont̃	14	3	02

		A.	R.	P.
16	Certaine small Islands in the towne harbour Mullet bay and towards burnt point about 10 in number conť ꝑ estimation	02	0	00
	Sum of all these Islands lying neare S Georges .	165	2	16
	Davids Island, and first yᵉ easterne part thereof wᶜʰ is Called yᵉ Companyes land there			
17	Capᵗ ffrancis Tucker, commander of Pagets ffort holdeth of the honoᵇˡ Company			
18	A parcell of land neare Davids head in the occupation of his leift Jonathan Stokes, Item Another parcell there in yᵉ occupation of John Hurt, both parcells lying together and containing ꝑ estimať	60	0	00
19	Miles Higgs holdeth of the honoᵇˡ Company 1 sha containing ꝑ estimať	25	0	00
20	Hugh Harding holdeth of the honᵇˡ Company 1 sha: containing ꝑ estimation	25	0	00
21	William Allin holds as afforesaid 1 share conť ꝑ estimať	25	0	00
22	Capᵗ Richard Jenings of Smiths tribe, commander of Southampton ffort, holds of the honoᵇˡᵉ Comp: as belonging to the fort and in the occupation of John Grazbury and Randall Davis, ꝑ estimať 2 shares of land conť	50	0	00
23	Leiftennant Thos: Hilton holds of the honoble Company ꝑ estimať 2 shares containing	50	0	00
24	Robert Burcher holds as afforesaid ꝑ estimať 1 sh: conť.	25	0	00
25	Leift: Edward Brangman and his sonne Samuell Brangman holds as affore said ꝑ estimať, 1 sh conť	25	0	00
26	William Bell holds of the honoᵇˡᵉ Company two parcells of land, namely one parcell on the south side containing by estimation 13 acres, and another parcell on the north side next the bay conť ꝑ estimať 12 acres both parcells containing ꝑ estimať one sha: or	25	0	00
	The summ of these lands in S Davids called yᵉ Companies, is	310	0	00
	The lands in S Davids Island, given by yᵉ Honoᵇˡ Company to Harington aƚs Hamilton tribe.			
27	Thomas Sparke of Davids Island holdeth freely a			

		A.	R.	P.
	parcell of land, which formerly belonged to two shares in Hamilton tribe that sometimes were Capt John Bernards and are there marked (no. 19) conꝰ ꝑ estimaꝰ	10	0	00
28	Tho : Sparke afforesaid holdeth of M^{r} John Milner as belonging to the two shares in Hamilton tribe where he dwells, and another share there in y^{e} occupation of M^{rs} Cox widdow, in all three shares beeing the lands of M^{r} Perient Trott (and numbered there 9 & 20) hee holdeth I say as belonging to these three shares ꝑ estimaꝰ . .	15	0	00
29	William Adams holdeth of Jacob Axton, as belonging to the share of M^{r} Mathew Wicks in Hamilton tribe (nō there 11th) ꝑ estimaꝰ . . .	05	0	00
30	M^{rs} Mary Mountaine (formerly Mary Stow) holdeth a parcell of 10 acres, belonging to two shares in Hamilton tribe, now M^{r} Southernes (nō 21). Item another parcell of 5 acres, belonging to a share in Hamilton tribe, in the free tenure of John Place (nō 30) both parcells lying together and conꝰ ꝑ estimaꝰ	15	0	00
31	Mary Mountaine afforesaid holdeth as belonging to two shares in Hamilton tribe, beeing y^{e} shares of Cap^{t} George Hubbart of Devonshire tribe (no 12) a parcell conꝰ ꝑ estimaꝰ	10	0	00
32	Leift John ffox holdeth of Cap^{t} God-heard Aser as appertaining to the three shares in Hamilton tribe (whereon hee y^{e} said Cap^{t} Aser Dwells) w^{ch} were late M^{r} Delbridge a parcell conꝰ ꝑ estimaꝰ	15	0	00
33	Henry Sharp holdeth freely a parcell of 30 acres of w^{ch} 15 acres, did formerly belong to y^{e} three shares of Cap^{t} Covells in Hamilton tribe (no 27, 28) y^{e} whole lying together and conꝰ ꝑ estimaꝰ	30	0	00
34	John Lydall holdeth of M^{r} Samuell Whitney, of Sandys tribe, as apptaining to y^{e} land formerly M^{r} Dikes in Hamilton tribe a parcell containing ꝑ estimation	30	0	00
35	M^{r} John More holdeth freely a parcell w^{ch} was heretofore John Day and appertaining to a share in Hamilton tribe now M^{r} Webb (no 16) conꝰ ꝑ estimaꝰ	05	0	00
36	John More afforesaid holdeth of M^{r} Mich^{l} Burrows a parcell of land appertaining to two shares of			

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1663.

		A.	R.	P.
	land in Hamilton tribe in the occupation of yᵉ said Michˡ Burrows (no 22) conť ꝑ estimať	10	0	00
37	Elizabeth Nailor holdeth of Mʳ Waterman (wᶜʰ was heretofore Mʳ Rich : Casswells) a parcell of land belonging to five shares in hamilton tribe wᶜʰ are thought to bee the shares in the tenure of Mʳ Stafford Mʳ Stringer and Mʳ Wrighton conť ꝑ estimať	25	0	00
38	Tho : Stow of Davids Island holdeth freely a ꝑcell of land belonging to a share now or late in yᵉ tenure of Capᵗ Canter (no 29) conť ꝑ estimať	05	0	00
39	Tho. Stow afforesaid holdeth of Mʳ John Stow and hee of Mʳ Perient Trott a parcell of land lying at yᵉ stocks point, belonging to five shares in Hamilton tribe, whereof foure were yᵉ Earle of Warwicks (no 23. 24. 25. 26) and one yᵗ lyes at yᵉ fflats (no 36) the whole ꝑcell here lying together and conť ꝑ estimať	25	0	00
	The summe of these lands in Davids Island belonging to 40 shares in Hamilť tribe ꝑ estimať	200	0	00

So the whole Island of S Davids, devided as afforesaid conť ꝑ estimať 510 acres. But as it was formerly measured it conť 527 acr.

The Islands in Southamton halboʳ aĺs Castle harboʳ

		A.	R.	P.
40	Certaine small Islands to the number of 10 lying in common neare to Davids Island, and on yᵉ south side thereof (for yᵉ most part conť ꝑ estimať)	08	0	00
41	The Island called Coopers Island in yᵉ tenure & occupation of David Ming, wᶜʰ hee holds of yᵉ honoᵇˡ Company conť	77	2	20
42	ffoure small Islands lying in Common betweene Davids Island and Coopers Island conť ꝑ estimať	03	2	20
43	ffive other small Islands lying in Common neare the south end of Coopers Island conť ꝑ estimate	02	2	00
44	The Island called None-such lying in common conť	15	2	13
45	Three small Islands about None-such lying in common conť	01	0	00
46	Southampton ffort vnder yᵉ Command of Capᵗ Rich: Jennynes with yᵉ Island whereon it stands conť ꝑ estimať	01	2	24

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1663.

		A.	R.	P.
47	The fellow of it, lying next toward y^e north-east in Common ꝑ estimať	00	3	30
48	Kings Castle vnder y^e Commande of o^r hono^{ble} Governo^r Cap^t Florentio Seymo^r, with y^e Island whereon it stands conť ꝑ estimať . . .	03	2	00
49	Charles ffort now decayed (onely there remaynes two peeces of Ordinance dismounted,) the Island conť ꝑ estimať	03	3	00
50	Three Islands lying neare Charles ffort Island conť . ꝑ estimation	01	0	00
51	Some other small Islands lying in Common in Southampton harbo^r aľs Castle harbo^r conť ꝑ estimať	01	3	00
	Sum of these Islands in Southampton harbo^r. .	120	3	27

The Generall lands at Tuckers towne:—

		A.	R.	P.
52	Gleabe-land in the tenure of M^r Abercromby with the Gleabe-house, conť ꝑ estimať 2 sh . .	50	0	00
53	M^r William More and M^r Joseph More his sone holdeth of the hono^{bl} Company two tenements and two shares of land conť ꝑ estimať . .	50	0	00
54	Samuell Atkinson holdeth of the honoble Company a tenement and one share of land conť ꝑ estimať	25	0	00
55	Daniell Marrow holdeth as afforesaid a tenement and one share of land conť ꝑ estimať. . .	25	0	00
56	Nathaniell North holdeth of the hono^{bl} Company a tenement and one sha: of land conť ꝑ estimať .	25	0	00
57	Parnell Wilkinson widdow holdeth of the hono^{ble} Company a tenement and one share of land conť.	25	0	00
	Something shee hath more.			
58	Leift William Jones Leift at y^e Castle holds as belonging to his place, A tenement in his owne occupation, Item another tenement in y^e occupation of James Grazbury, Item another tenement in the occupation of his mother Mary Jones, with two shares of land in the occupation of himselfe and his said assignes conť ꝑ estimať .	50	0	00
59	Tho: Clinch, W^m Newman, John Browne, each of them a tenement and some parcells of land w^{ch} together with y^e waste and Common land extending from Tucker's towne bay, almost to y^e Castle conť ꝑ estimať	95	0	00

	A.	R.	P.
Summe of these Generall lands at Tuckers towne and extending thence to yᵉ point nearest yᵉ Castle	345	0	00

Touching some of yᵉ lands at Tuckers towne as also in Davids Island, I could not be thoroughly informed, though I made severall Journeyes and enquiries, but have them sett downe, according to yᵉ best information I could gather.

The Island called S Georges contayning by estimat̄ 27 shares, but by measure	706	2	00
The other Islands in the towne harboʳ and so to Burnt point cont̄	165	2	16
Davids Island containing by estimat̄ 510 acres but by measure	527	03	00
Coopers Island, Nonesuch, and yᵉ other small Islands there containing	120	3	27
The Generall lands at Tuckers towne and extending to the point neare yᵉ Castle contaynes by estimation 345 acres, but there seemes to bee neare one share more by measure namely . . .	370	0	00
Summe totall of the Generall land is .	1890	3	03

ISLANDS IN COMMON TO ALL THE TRIBES.

The Islands In the Great and Little Sound, lying in Common to all the tribes :

1	The bigger Island at the bottoome of yᵉ Little Sound against the lands of Mʳ John Hubbart cont̄ ꝑ estimation	01	2	20
2	The two lesser Islands cont̄ ꝑ estimat̄ . . .	00	0	20
3	Another small Island in the Little Sound neare to Diggs his Dale in Smiths tribe cont̄ ꝑ estimat̄	00	2	00
4	An Island at Baylyes bay on the north side of hamilton tribe containing ꝑ estimat̄ . . .	00	2	30
5	Another there more westerly cont̄ ꝑ estimat̄. .	00	1	00
6	The greater of yᵉ Islands in the Little Sound called Trunck Island in the occupation of John Roberts cont̄ ꝑ estimat̄	03	0	00
7	The next there to the northwards in the occupation of yᵉ said John Roberts cont̄ ꝑ estimat̄ . .	01	0	10
8	Two other small Islands cont̄ ꝑ estimat̄. . .	00	1	26

In the Great Sound:

		A.	R.	P.
9	An Island in Crow lane (lying against y^{e} share of school land giuen by M^{r} Copeland) In y^{e} occupation of Evan Owen for yearely rent w^{ch} he payes to the Governo^{r} or shreife for publique vses (as doe the rest of these Islands that are lett out) this Island cont̃ ꝑ estimat̃	03	0	00
10	Another Island in Crow lane against M^{r} Stowes house to the southwards, lying in com̃on & cont̃ ꝑ est̃	03	0	00
11	Six small Islands at y^{e} entering of Crow lane lying over from M^{r} Stowes point to salt kettle point lying in Common and cont̃ ꝑ estimat̃ . .	03	1	00
12	Another Island there, in the occupation of Theo: Ackland with the tenement thereon cont̃ ꝑ est̃	28	2	20
13	Two small Islands lying betweene y^{e} last before entred and Warwick tribe cont̃ ꝑ estimat̃ .	00	3	00
14	An Island in Bosses hole, lying as afforesaid in Common & cont̃ ꝑ estimat̃	00	2	30
15	Another Island there at y^{e} mill or mouth of Mangrove bay, &c. cont̃ ꝑ estimat̃	00	1	00
16	Another more southerly lying common and cont̃ .	00	2	00
17	Another there more southerly, lying in common & cont̃	1	0	00
18	Another there more southerly lying &c. and cont̃ ꝑ est̃	0	2	00
19	A long Island at y^{e} entrance of Daniells bay with a smaller farther into the bay, both lying in common and cont̃ ꝑ estimat̃	01	1	00
20	A bigger Island lying against M^{r} Stowes Point shares to y^{e} westward, lying in common and cont̃ ꝑ est̃	03	1	00
21	ffoure small Islands to y^{e} westward lying &c. cont̃	01	1	00
22	An Island with a bay on the south side of it with another lesser Island towards the north east, both in the occupation of Lazarus Owen with y^{e} tenement there cont̃ estimat̃ . . .	28	1	30
23	Another small Island next the two former lying in common and cont̃ ꝑ estimat̃	00	3	10
24	Three small Islands to y^{e} westward of Lazarus Owen lying in common and cont̃ ꝑ estimat̃ .	01	2	00
25	A bigger Island, northwest from Lazarus Owen in the occupation of Nathaniell Vesey or his assynes cont̃	13	3	00
26	Another Island neare adjoyning at y^{e} west end in			

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		A.	R.	P.
	yᵉ occupation of yᵉ said Nathaniell Veazy or his assignes conť ꝑ estimať	09	2	00
27	Elizabeth Island with a tenement there in yᵉ occupation of John Burt conť ꝑ estimať	21	0	10
28	An Island at the north head of Elizabeth Island lying in common and conť ꝑ estimať . . .	00	3	20
29	Another Island at yᵉ northwest of Elizabeth Island lying in common & conť ꝑ estimať	01	2	00
30	The Island called Pearle Island, with another small Island at Spannish point and another neare Sic all lying in common and conť ꝑ estimať	02	1	00
31	An Island to the southward of yᵉ west end of Eliz: Island lying in common and conť ꝑ estimať .	01	2	00
32	Another Island there more southerly, lying in common conť ꝑ estimať	02	1	30
33	Three small Islands more southerly, com̄on conť ꝑ esť	03	0	00
34	An Island called Round hill Island in yᵉ occupať of Henry Ward conť ꝑ estimať	16	1	20
35	A smaller Island to the southward of yᵗ last entred in yᵉ occupation of Henry Ward conť ꝑ esť .	02	0	00
36	An Island called Tuckers Island with a tenement there in the occupation of Nathaniell Conyard conť	21	0	00
37	The next to yᵉ northward, called yᵉ lesser Tuckers Island in yᵉ occupation of Thomas Ward conť ꝑ esť	07	3	00
38	Two small Islands to the westward of yᵉ two last lying in common and conť ꝑ esť	00	2	00
39	An Island betweene Tuckers Island and Brother Islands sometimes called Graces Island, in com̄on conť	06	2	00
40	The westmost of yᵉ Brother Islands lying next to Georges point, with a tenement there in yᵉ occupať of John Rivers conť ꝑ estimať . .	20	1	20
41	The eastermost of yᵉ Brother Islands lying in common and conť ꝑ estimať	13	3	30
42	An Island neare yᵉ shoare at yᵉ pertition line between yᵉ lands formerly yᵉ Earle of southamtons, and Mʳ Scotts lying in common & conť ꝑ estimať	02	1	20
43	Two small Islands neare Jews bay lying in common conť ꝑ estimation	03	0	00
44	Two Islands betweene yᵉ entrance of Herne bay the			

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		A.	R.	P.
45	one in yᵉ occupation of John Helyn, the other in yᵉ occupation of his mother with a tenement both ꝑ estimation	17	1	00
46	Two other small Islands within White Herne bay lying in common & cont̃ ꝑ estimat̃ . . .	01	0	10

The summe of these Islands lying in com̄on to all yᵉ tribes is 253 acr: 2 ro: 36 per:[1]

HAMILTON TRIBE

Begining on the west side of yᵉ tribe next to Smiths tribe

		A.	R.	P.
1	Mʳ William Peazly a tenement & one share of land in the tenure of Mʳˢ Ruth Willis and in the occupation of William Dawes. Abutting at yᵉ north end vppon the Little Sound and at the south end vppon the south side sea Bounding to the westwards vppon a share of land of Mʳ William Pennistones in Smiths Tribe & to yᵉ Eastwards vppon the foure shares next following, containing with the pond falling therein . . .	25	0	00
2	Late Colonell Owen Roe a tenement and by estimation two shares, but with the pond aboue 3 sha: in the tenure and occupation of Tho: Hatchett Edward Ansley and Giles Hornsby, abutting at yᵉ north end vppon two shares in the tenure of Humphrey Harvey and partly vppon the land of Mʳ Peazley and yᵉ south end vppon yᵉ sea cont̃ .	50	0	00
3	Mʳ Wᵐ Peazley a dwelling house and outhouses & by estimation two shares of land (but much wanting) In yᵉ tenure of Ruth Willis, and in yᵉ occupation of Humphery Harvey abutting at yᵉ south end vppon yᵉ two shares last before entred and at yᵉ north end vppon yᵉ Little Sound Bounding to yᵉ westward on yᵉ share afforesaid in the occupation of Wᵐ Dawes, and to yᵉ eastward vpon yᵉ next following in the occupation of Ruth Wills and cont̃ ꝑ estimat̃ . . .	50	0	00

note—The occasion of yᵉ difference before mentioned (as I have beene credibly informed) was this, yᵉ Countis of Bedford gaue to Sʳ Edward Harwood

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[1] Thus far the Book of Survey has been already printed. See 'The original Lists of Persons of Quality, &c. who went from Great Britain to the American Plantations, 1600–1700.' Edited by John Camden Hotten, New York, 1874, pp. 304–313.

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	A.	R.	P.
two of her tenn sha: here who gaue them to his brother Mʳ Harwood, who sent over one M Denish vppon them, who complaineth that a great part of yᵉ two shares was in ponds, obtained of yᵉ Countesse to have two intire shares besides yᵉ ponds, and so Mʳ Perincheife laid out those two shares.			
4 Mʳ William Peazly a dwelling house wᵗʰ the outhouses and one share of land in the tenure and occupation of Mʳˢ Ruth Willis. Abutting at yᵉ north end vppon the Little Sound and at yᵉ south end partly vppon yᵉ land late Colonell Roes afforesaid, and partly vppon yᵉ south side sea bounding to yᵉ westwards partly upon yᵉ two shares late Colonell Roe and partly vppon yᵉ two shares afforesaid in yᵉ occupation of Humphery Harvey, and to yᵉ eastward vppon yᵉ two shares of Mʳ Tho Hall next following cont̃ ꝑ estimat̃ .	25	0	00
5 Mʳ Tho: Hall of Summersett Island a tenement and two shares of land in the tenure of Ruth Willis afforesaid, Abutting at yᵉ north end vppon yᵉ Little Sound, and at yᵉ south end on yᵉ south side sea Bounding to yᵉ westward vppon the share of Mʳ Peazley last before entred and to yᵉ eastwards vppon yᵉ lands of George ball cont̃ ꝑ estimat̃	50	0	00
6 George Ball, of Hamilton tribe A tenement and two shares of land, namely one share in his owne occupation, and one share in yᵉ occupation of Edward Grazbury, both lying together, and abutting at yᵉ north end vppon yᵉ Little Sound and at yᵉ south end vppon yᵉ south side sea Bounding to yᵉ westward vppon yᵉ two shares of Tho: Hall afforesaid and to yᵉ eastward vppon yᵉ gleabe land cont̃ ꝑ estimat̃	50	0	00

These tenn shares before entred were formerly the lands of the Countesse of Bedford, and afterwards of James Lord Marquesse Hamilton, and contayne 250 acres and so have their Common Ground within them.

Note where this word [formerly] issued it is to bee understood about forty eight yeares past Anno 1616 when I formerly subdivided yᵉ Country,

A. R. P.

according to y^{e} best information I then had of y^{e} names.

The forty shares following of this tribe wee begin from the generall land called Tuckers towne and end at the ffatts or Sounds Mouth

7 M^{r} John Delbridge formerly, and now his heires or assignes, A tenement (& by estimat̃) three shares of land in the tenure and occupation of Cap^{t} God-heard Aser. Abutting at the west end partly vppon the Little Sound, and partly vppon a share of the generall land in the occupation of M^{r} Joseph Moore, and at y^{e} east end vppon Southampton harbo^{r} bounding to y^{e} southward vppon the Generall land, and to the northward vppon y^{e} land of M^{r} John Hubbart cont̃ ꝑ estimat̃ 72 0 00

Note these last before entred are onely two shares & ought to haue beene three, so there is a share wanting by what meanes I know not, the land is also so full of sharp Rocks and rough wayes, that it is scarce passable The share y^{t} is wanting ought to bee taken at y^{e} south side out of y^{e} generall land, if you bee pleased to giue such order[1]

this land (as I understand) lay void many yeares before Cap^{t} Aser came to liue vppon it in w^{ch} time one share was cutt off as appears

8 M^{r} John Hubbart of Hamilton tribe (formerly M^{r} John Dike) three shares of land, namely his dwelling house with a share and halfe of land in his owne occupation: Item another tenement and one share and an halfe of land in the occupation of M^{rs} Deborah Hall wid: in all three shares lying together, Abutting at y^{e} west end vppon y^{e} Little Sound, and at y^{e} east end vppon

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[1] The following certificate relating to these lands has been preserved:—

These are to certify whom it may concerne that in the yeare of o^{r} [Lord] 1663 when by Order from the hono^{bl} Company I made the Survey of this country I found that the land in the occupat̃ of Cap^{t} God-heard Aser in Hamilton tribe reputed to be 3 shares was but two intire shares by whom laid out or when I cannot certainely tell But I then certified the hono^{bl} Company thereof in the booke of Survey, and that the defect was to be supplyed out of the General land there next adjoyning if they were pleased to giue such order. R. N.
Nov. the xxviij 1668

A true Copy of the certificate sent to the hono^{ble} Company to the best of my memory.

		A.	R.	P.
	Southampton harbor, bounding to ye southwards vppon ye afforesaid land in ye occupation of Capt Godheard Aser, and to ye northwards vppon ye next following cont̄ ꝑ estimat̄	72	0	00
9	Mr Perient Trott (formerly Mr Roberts) a dwelling house and outhouses with two shares of land in ye occupation of Mr John Millner; Abutting at ye southwest end vppon the Little Sound and at ye northeast end vppon Southampton harbor. Bounding to ye southeast-wards vppon ye lands of John Hubbart afforesaid, and to ye northwestwards vppon a share of Wm Haynes next following cont̄ ꝑ estimat̄	48	0	00
10	William Haynes of Hamilton Tribe (formerly Mr Phipps) A dwelling house &cẗ, and one share of land in his owne occupation. Abutting at ye southwest end vppon ye Little Sound, and at the northeast end vppon Southampton harbor. Bounding to ye eastward vppon ye lands of Mr Perient Trott last before entered, and to ye westwards vppon ye share of Mr Matthew Wicks next following cont̄	24	0	00
11	Mr Matthew Wicks (formerly Mr Ralph King) a tenement and one share of land in the occupation of Jacob Axton, Wm Guise, Tho: Croskeyes. Abutting at ye south end vppon the Little Sound, and at ye north end vppon Southampton harbor: Bounding to ye eastwards vppon ye share of Wm Haynes last before entered, and to ye westward vppon the next following cont̄ ꝑ estimat̄ .	24	0	00
12	Capt George Hubbart (formerly Mr Quick) two shares of land, namely a tenement and one share in ye occupation of Edward Atwood, Item another tenement and one share in ye occupat̄: of John Michaell: Butting at ye last before entred and bounding to the eastwards vppon ye last before entred and to ye westwards vppon ye next following cont̄ ꝑ est̄	48	0	00
13	Mr John Stringer of Hamilton Tribe, two shares of land with his dwelling house and outhouses in his owne occupation: Abutting at ye south end vppon a share in ye occupation of William Wrighton and at ye north end vppon ye northside sea neare Burnt point Bounding to ye east-			

		A.	R.	P.
	wards vppon the lands of Cap^{t} George Hubbart afforesaid, and to y^{e} westwards vppon y^{e} lands of M^{r} Richard Stafford, and M^{r} John Milner cont̃	48	0	00
14	M^{r} William Wrighton of Hamilton tribe one sha: of land with his dwelling house &c̃. In his owne occupation Abutting at y^{e} south end vppon y^{e} Little Sound, and y^{e} at north end vppon y^{e} foresaid shares of John Stringer. Bounding to y^{e} eastward vppon y^{e} lands of Cap^{t} George Hubbart afforesaid, and to y^{e} westward vppon y^{e} lands next following cont̃ ꝑ estimat̃ . . .	24	0	00
15	M^{r} John Milner as guardian to his Grandsonn halfe a share and M^{r} Richard Stafford y^{e} dwelling house wth one share and a halfe of land (both of Hamilton tribe) in all two shares lying together: Abutting at y^{e} South end vppon the Little Sound, and at the north end, partly on y^{e} north side sea, and partly vppon y^{e} Common ground at Baylyes bay. Bounding to y^{e} eastwards vppon y^{e} lands of John Stringer and William Wrighton before entred and to y^{e} westward vppon the share of M^{r} William Webb next following and partly vppon the common ground at Bailyes bay, and in part vppon Baylies bay cont̃ . .	48	0	00
16	M^{r} William Webb a tenement and one share of land in y^{e} occupation of M^{rs} Ann Jennyings widdow: abutting at y^{e} sound end vppon a bay in y^{e} Little Sound, and at y^{e} north end vppon the common ground at Baylies bay. Bounding to y^{e} Eastward vppon y^{e} *the* two shares last before entred, and to y^{e} westward vppon a share of M^{r} Hawes in the occupation of Jacob Axton cont̃ ꝑ est̃	24	0	00

The six shares last before entred were formerly y^{e} lands of M^{r} Cannon and M^{r} Offley

17 Item a parcell of Common ground of 7 acres lying at baylyes, belonging to 14 shares before entred, namely to M^{r} Delbridge 3 sha: to M^{r} Hubbart 3 sha: to M^{r} Trott 2 sha: To W^{m} Haynes 1 sh: To M^{r} Wicks 1 sha: to Cap^{t} George Hubbart 2 sha: To M^{r} Stringer 2 sha: Touching y^{e} tenn sha: that were formerly the Countesse of Bed-

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fords, I find them to contayne 250 acres and so to haue their common ground within themselues

		A.	R.	P.
18	M^r N Hawes one share of land with a tenement or dwelling house in y^e occupation of Jacob Axton; Abutting at y^e South end vppon the little sound, and at y^e north end vppon y^e north side sea. Bounding to y^e Eastward vppon y^e lands of M^r William Webb afforesaid, and to y^e westwards vppon the share of Mathew Low next following conť ꝑ esť	24	0	00
19	M^r Mathew Low of Hamilton tribe a tenement and one share of Land in the occupation of y^e said Mathew Low. Abutting as y^e last afforesaid and bounding to y^e eastwards vppon the share of M^r Hawes last before entred, and to the westward vppon a share of M^r Trotts next following conť ꝑ estimať	24	0	00
	The two last shares were formerly Cap^t Bernards			
20	M^r Perient Trott A tenement and one sha : of land (formerly S^r Thomas Higgins) in the occupať of M^{rs} Martha Cox widdow Butting as afforesaid and bounding to the eastward vppon y^e share of Mathew Lowe before entred, and to y^e westwards vppon y^e lands of M^r Southerne conť ꝑ estimať	24	0	00
21	M^r Charles Southerne of Hamilton tribe (formerly M^r John Gearing) his dwelling house and two shares of land in his owne occupation. Abutting at y^e south end vppon the Little Sound, and at y^e north end vppon y^e North side sea: Bounding to y^e eastwards vppon y^e foresaid share of M^r Perient Trott, and to y^e westwards vppon y^e lands of Michaell Burrowes conť	48	0	00
22	M^r Michaell Burrowes of Sandys tribe (formerly M^r Cleophas Smith) A tenement and two shares of land in the occupation of William Outerbridge, abutting as y^e last before entred and Bounding to y^e eastwards vppon y^e foresaid land of M^r Southernes, and to y^e westwards vppon y^e lands of M^r Perient Trott conť ꝑ estimať . .	48	0	00
23	M^r Perient Trott A tenement and one share of land in the occupation of Richard Jones. Abutting at y^e South end vppon y^e lands in the occupa-			

		A.	R.	P.
	tion of William Outerbridge and Samuell Stone, and at y^{e} north end vppon y^{e} north side sea. Bounding to y^{e} eastward vppon y^{e} foresaid land of Michaell Burrowes and to y^{e} westwards vppon y^{e} lands in y^{e} occupation of Samuell Stone cont̃	24	0	00
24	M^{r} Perient Trott A halfe share of land in y^{e} occupation of William Outerbridge, Abutting at y^{e} south end vppon the Little Sound, and at y^{e} north end vppon y^{e} foresaid share in the occupation of Richard Jones bounding to the eastwards vppon the foresaid land of Michaell Burrowes and to the westward vppon y^{e} lands in y^{e} occupation of Samuell Stone cont̃ ꝑ estimat̃	12	0	00
25	M^{r} Perient Trott a tenement with one share and an halfe of land in the occupation of Samuell Stone Abutting at the south end vppon the little sound and at y^{e} north end partly vppon y^{e} north side sea and partly vppon y^{e} share afforesaid in the occupation of Richard Jones Bounding to y^{e} eastward vppon y^{e} foresaid lands in the occupation of Richard Jones and William Outerbridge, and to y^{e} southwestward uppon a share in the occupation of William Outerbridge cont̃ . .	36	0	00
26	M^{r} Perient Trott A tenement with a share of land in y^{e} occupation of William Outerbridge, Abutting at ye southeast end vppon the Little Sound, and at y^{e} northwest end vppon the north side sea called y^{e} Crawle Point. And lying betweene y^{e} lands last afforesaid in y^{e} occupation of Samuell Stone to y^{e} northeastward, and the lands of Tho : Burgis to the southwest cont̃ ꝑ estimat̃	24	0	00

The foure shares last before entred lying together were formerly y^{e} lands of ye Earle of Warwick

		A.	R.	P.
27	M^{r} Tho Burgis of Hamilton tribe (formerly Cap^{t} Covells) his dwelling house &c̃ with two shares of Land in his owne occupation. Abutting at y^{e} southeast end vppon y^{e} Little Sound, and at y^{e} northwest end vppon y^{e} north side sea and Cove called y^{e} Crawle and lying betweene y^{e} foresaid lands of M^{r} Perient Trott to y^{e} northeastward			

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		A.	R.	P.
	and yᵉ lands of Mʳˢ Margery Hobson to yᵉ southwestward cont̃ ꝑ estimat̃	48	0	00
28	Mʳˢ Margery Hobson (formerly Capᵗ Covell) A tenement with one share of Land in yᵉ occupation of William Thaxton: Abutting at the southeast end vppon the Little Sound; and at the northwest end vppon the north side sea Lying betweene yᵉ *the* lands of Thomas Burgis afforesaid to the northeastwards and the lands of Capᵗ Canter cont̃	24	0	00
29	Capᵗ Christopher Canter a Dutchman, A tenement and one share of land, (formerly Mʳ Greenwell) in yᵉ occupation of Henry Smith abutting as the last before entred, And lying betweene yᵉ lands of Mʳˢ Robson afforesaid to the northeastwards and the land of John Place to the southwestward cont̃	24	0	00
30	Mʳ John Place of Hamilton tribe, one share of land (formerly Mʳ Sprusons) Abutting as afforesaid; And lying between yᵉ lands of Capᵗ Christopher Canter to yᵉ northeastwards, and the lands of Thomas Collins & John Morris to yᵉ southwestwards cont̃	24	0	00
31	Tho: Collins and John Morris both of Hamilton tribe (formerly Mʳ Polsons) one share of land in their owne occupation abutting as afforesaid and lying betweene yᵉ lands of John Place afforesaid to yᵉ northeastwards and yᵉ lands of Mʳˢ Ann Allin to yᵉ southwestward cont̃ . .	24	0	00
32	Mʳˢ Ann Allin (formerly Mʳ Polson) one sha: of land in yᵉ occupation of Tho Collins afforesaid. Abutting as afforesaid. And lying betweene yᵉ lands of Tho. Collins and John Morris afforesaid to the northeastward, and yᵉ lands next following in the occupation of Mʳ Anthony Joyner to yᵉ southwest cont̃	24	0	00
33	Mʳ Knightly (as the tennant saith some say Mʳ Webb, but formerly it was Mʳ Webbs) one share and an halfe of land in the occupation of Mʳ Anthoney Joyner seniorʳ; Abutting at yᵉ southeast end vppon the Little Sound, and at yᵉ northwest end vppon yᵉ north side sea and Shelly-bay lying betweene the lands of Mʳˢ Ann Allin afforesaid to the northeastward, and a parcell of Common land to the south westwards cont̃ . .	36	0	00

		A.	R.	P.
34	A parcell of Common ground containing 13 acres Abutting at y^e southeast end vppon the little sound, and at y^e northwest end vppon y^e north side sea at Shelly-bay lying betweene M^r Webbs land on either side. This Common ground belongeth to twenty six shares in this tribe namely to M^r Wrighton for one sha: M^r John Milner and M^r Stafford 2 shares M^r William Webb 1 share. M^r Hawes 1 sha: Mathew Lowe 1 share M^r Perient Trott 1 sha Charles Southerne 2 sha: M^r Burrowes 2 shares M^r Perient Trott 4 shares M^r Burgis 2 sha M^rs Robson 1 share Cap^t Canter 1 share John Place 1 share Tho Collins and John Morris one share M^rs Ann Allin one share M^r Webb 3 shares M^r Perient Trott 1 sha: all containing	13	0	00
35	M^r Knightly al̄s M^r Webb one share and an halfe of Land in the occupation of M^r Anthony Joyner senio^r. Abutting at y^e southeast end vppon the Little Sound and at y^e northwest end vppon y^e north side sea lying betweene y^e foresaid parcell of common land to y^e northeastward and y^e share next following of M^r Perient Trotts to y^e southwestward conť	36	0	00
36	M^r Perient Trott (formerly M^r Thorpe) one share of land in y^e occupation of John Yates senio^r Bounding on the north-east side vppon y^e lands afforesaid in the occupation of M^r Anthony Joyner, and in all other parts vppon y^e sea neare y^e Flatts and mouth of the Little Sound conť .	24	0	00
37	There is moreover belonging to the forty shares last before entred a parcell of twenty acres lying on y^e southside of the Flatts and abutting at ye southend vppon a parcell of Common land in Smiths tribe, and lying betweene y^e lands of M^r Anthony White to y^e eastwards, and y^e lands of Cap^t Richard Jennynes to y^e westward, w^ch together with y^e two parcells of Common ground afforesaid makes every of these 40 shares to bee 25 acres to a share, as all other shares in the country are, with the common ground to them belonging conť	20	0	00

So (reckoning to M^r Delbridge three shares) this tribe called Hamilton tribe containeth fifty

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shares, and every share with the Common ground &ctꝰ thereto belonging 25 acres The whole tribe containes 1250 acres

SMITHS TRIBE.

Beginning on yᵉ East side of the tribe next adjoyning to Hamilton tribe.

	A.	R.	P.
1 Mʳ William Pennistone of Smiths tribe (formerly Sʳ Dudley Diggs) A tenement and two shares of land in his Mothers occupation: Abutting at yᵉ south end vppon the south side sea and at yᵉ north end vppon yᵉ Little Sound lying betweene yᵉ afforesaid lands of yᵉ Countesse of Bedforde to yᵉ eastward, and the lands in the occupation of Richard Hawkes to the westward contꝰ .	49	0	00
2 Richard Hawkes of Smiths Tribe (formerly Mʳ Edwards) a tenement and two shares of land in his owne occupation abutting as yᵉ last before said, and lying betweene yᵉ foresaid lands of William Pennistone to yᵉ eastwards, and yᵉ lands of Samuell Newton to yᵉ westward contꝰ	49	0	00
3 Samuell Newton of Smiths tribe formerly Mʳ Payne A tenement and two shares of land in his owne occupation Abutting as afforesaid; And lying betweene yᵉ lands afforesaid of Richard Hawkes to the eastward, and yᵉ lands of John Napton to yᵉ westward	49	0	00
4 John Napton of Smith tribe (formerly Mʳ Robert Payne) a tenement and two shares of land abutting as afforesaid and lying betweene yᵉ lands of Samuell Newton afforesaid to yᵉ eastward, and a share of Mʳ Perient Trotts to yᵉ westward contꝰ	49	0	00
5 Mʳ Perient Trott formerly Mʳ Robert Smith A tenement and one share of land in yᵉ occupation of Nathaniell North Abutting as afforesaid and lying betweene yᵉ lands of John Napton afforesaid to yᵉ eastward, and a share of Mʳ Tho Cawley to yᵉ westward contꝰ	24	2	00
6 Mʳ Thomas Cawley (formerly Mʳ Robert Smith) two tenements and one share of land whereof yᵉ south halfe is in the occupation of James Gibbons, and yᵉ north halfe in the occupation of Margarett Reynholds. Abutting as afforesaid;			

	A.	R.	P.
And lying betweene y^{e} foresaid share of M^{r} Trotts to y^{e} eastward and y^{e} lands of M^{r} William Wrighton, and leiftennant Edward Brackley to y^{e} westward cont᷑	24	2	00
7 M^{r} William Wrighton of Hamilton tribe (formerly M^{r} George Barckley) a tenement and one share of land in the occupation of Edward Roberts, abutting at y^{e} southwards vppon the south side sea, and at y^{e} northend vppon a share of Lieft᷑ Edward Brackley. Lying between y^{e} lands in y^{e} occupation of James Gibbons afforesaid to y^{e} Eastwards and y^{e} lands of Cap^{t} Christopher Smith to y^{e} westward cont᷑ ꝑ estima᷑ . .	24	2	00
8 Leiftennant Edward Brackley of S^{t} Georges Towne, As Guardian to his sonne in law James Halsey (formerly M^{r} George Barckley) A tenement and one share of land in the occupation of Edward Grazbury. Abutting at y^{e} south end vppon y^{e} land of William Wrighton afforesaid and at y^{e} north end vppon the Little Sound: Lying betweene y^{e} lands of M^{r} Cawley afforesaid to y^{e} eastwards & of Cap^{t} Christopher Smith to y^{e} westwards cont᷑	24	2	00
9 Cap^{t} Christopher Smith of Smiths tribe (formerly M^{r} George Barckley) A tenement and one share of Land Abutting at y^{e} south end vppon the south side sea, and at y^{e} north-end vppon y^{e} little sound, lying betweene ye lands of M^{r} Wrighton and M^{r} Barckley to y^{e} eastward, and y^{e} lands of S^{r} John Walpoole and Tho Smith to y^{e} westwards cont᷑ ꝑ estima᷑	24	2	00
10 S^{r} John Walpoole (formerly M^{r} George Barckley) A tenement and one share of land in y^{e} occupation of Cap^{t} Christopher Smith Abutting at y^{e} south end vppon y^{e} south side sea, and at y^{e} north end vppon y^{e} lands of his sonn Thomas Smith; lying betweene y^{e} share afforesaid of Cap^{t} Christopher Smith to y^{e} eastward and a share of M^{r} Chauncey Sandys to y^{e} westward cont᷑ .	24	2	00
11 Thomas Smith of Smiths tribe (formerly M^{r} George Barckley) a tenement and one share of land in his owne occupation abutting at y^{e} South end vppon y^{e} share of S^{r} John Walpoole afforesaid and at y^{e} north end vppon y^{e} Little			

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		A.	R.	P.
	Sound lying betweene yᵉ foresaid share of Capᵗ Christopher Smith to yᵉ eastward, and yᵉ share of Mʳ Chauncey Sandys to yᵉ westward cont̃ ꝑ est̃	24	2	00
12	Mʳ Chauncy Sandys of Smiths tribe (formerly Sʳ Samuell Sandys) his dwelling house and one share of land in his owne occupation; Abutting at yᵉ south end vppon yᵉ south side sea and at yᵉ north end vppon yᵉ Little Sound lying betweene yᵉ lands of Sʳ John Walpoole, and Tho Smith afforesaid to yᵉ eastward, and Mʳ William Pennistone and Mʳ Tho: Griffin to yᵉ westward cont̃. .	24	2	00
13	Colonell John Hinde (formerly Sʳ Anthony Ager) A tenement and two shares of land in the occupation of Mʳ Thomas Griffin; Abutting at yᵉ south end vppon ye south side sea and at yᵉ north end vppon yᵉ lands of William Pennistone, Lying betweene yᵉ foresaid share of Mʳ Chauncy Sandys to yᵉ Eastward, and yᵉ lands in the occupat̃ of John Wingood George Ball Mʳ Pinder to yᵉ westward cont̃	49	0	00
14	Mʳ William Pennistone of Smiths Tribe (formerly Sʳ Anthony Ager) a tenement and two shares of land in his owne occupation Abutting at yᵉ south end vppon yᵉ foresaid land in yᵉ occupation of Thomas Griffin, and at yᵉ north end vppon the little sound. Lying betweene yᵉ lands of Mʳ Chauncy Sandis afforesaid to yᵉ eastwards and yᵉ lands of Leif̃ Anthony White & Rich Gilbert westwards cont̃	49	0	00
15	Mʳˢ Hester Sandys, late Colonell Sandys (and formerly Sʳ Edwin Sandys) three tenements and two shares of land in yᵉ occupation of Mʳ Timothy Pinder, George Ball and John Wingood. Abutting at yᵉ south end vppon yᵉ south side sea, and at yᵉ north end vppon yᵉ share of Richard Gilbert. Lying betweene the foresaid two shares in the occupation of Tho: Griffin to the eastward and yᵉ lands of Mʳ John Sommersall to the westward cont̃	49	0	00
16	Richard Gilbert of Smiths Tribe (formerly Sʳ Edwin Sandys) a tenement and one share of land in his owne occupation abutting at yᵉ south end vppon yᵉ foresaid share in the occupation			

		A.	R.	P.
	of Mr Pinder, and at ye north end vppon ye lands of Leift Anthony White. And lying betweene ye foresaid lands of Tho: Griffin, and William Pennistone to ye eastwards and ye land of Mr John Sommersall to ye westwards cont.	24	0	00
17	Leift Anthony White of Smith Tribe (formerly Sr Edwyn Sandis,)[1] his dwelling-house and two shares of land in his owne occupation Abutting at ye south end vppon the share of Rich: Gilbert afforesaid, and at ye north end vppon the Little Sound. Lying betweene the lands of William Pennistone afforesaid to ye eastwards, and ye lands of Mr John Sommersall, the common ground & ye 20 acres for Hamilton Tribe, and partly the Fflatts and Fflatts bridge to ye westward cont ꝑ estimat	49	0	00
18	Mr John Sommersall of Smiths Tribe (formerly Sr Tho Smith,) his Mansion or dwelling house with fiue shares of land. Whereof foure in his owne occupation and one being ye eastermost of ye fiue in the occupation of his sonn in law Henry Harvey, All fiue lying together and abutting at ye south end vppon the south side sea And at ye north end vppon a parcell of Common ground Lying betweene ye foresaid lands of Mr Sandys, Rich: Gilbert and Leift Anthony White to ye eastward, and ye lands of Capt Richard Jennynes to ye westwards cont	122	2	0
19	In these shares is ye Church and Church yard Smiths Tribe A parcell of common ground cont 12 ac: 2 ro: 0 pe Abutting at ye south end vppon the lands of Mr John Sommersall affore-			

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[1] The following note, which relates apparently to the five preceding shares, attests in a pleasing manner the great regard and respect in which Richard Norwood was held by his contemporaries:—

Mr. Norwood

And my cordiall friend, I doe request you to Certifie mee vnder your hand writing the Causes, And Circumstances therevnto relateing (soe neare as you know and can remember) why and wherefore you did not proceede in your Measuring the ffiue Shares of Land in Smiths Tribe, formerly belonging to the ffamilie of Sr Edwin Sandis, deceased, According to the Contents of the Order of Court And Com̄ission directed to Capt Seymer when Gouernr And soe wishing you And your Consort helth & happiness I rest

St Georges
Novembr the 21st 1670.

Your Louing ffrend
J Heydon.

A. R. P.

said, and at y^{e} north end vppon the peece of twenty acres belonging to Hamilton tribe. Lying betweene the lands of Leift Anthony White to y^{e} eastwards and y^{e} lands of Cap^{t} Richard Jennynes to the westward. These 12½ acres of Common Ground belonging to 25 shares in Smiths tribe w^{ch} are in order as followeth, begining with the eastermost Namely to M^{r} William Pennistone for 2 shares one acre Rich: Hawkes 2 sha: &ct Sam̄ Newton for two sha: &ct John Napton for two shares &ct M^{r} Perient Trott for 1 share M^{r} Tho: Cawley for 1 share M^{r} William Wrighton for 1 share &ct Leift Edward Brackley 1 sh: Cap^{t} Christopher Smith 1 share S^{r} John Walpoole 1 sha: Tho: Smith 1 sha: M^{r} Chauncy Sandys 1 sha: Colonell John Hinde 2 sha: M^{r} William Pennistone for 2 shares M^{rs} Hester Sandys for 2 shares Richard Gilbert for 1 share, Leift Anthony White for 2 shares, In all for 25 shares common ground cont 12 2 00

The peice of 20 Acres lying here and belonging to Hamilton tribe is before entred in y^{t} tribe Nō 37.

20 Cap^{t} Richard Jennynes of Smiths Tribe (formerly M^{r} Rich Moores) his mansion or dwelling house and 4 shares of land in his owne occupation (except a parcell in the occupation of John Wrighton & Thomas Packwood) abutting at y^{e} south end vppon y^{e} south side sea, and at y^{e} north end vppon the Fflatts-mouth. Lying betweene y^{e} lands of M^{r} John Sommersall y^{e} foresaid common land and y^{e} peece for Hamilton Tribe to y^{e} eastwards, and y^{e} lands of M^{r} Mathew Bateson to y^{e} westwards cont . . . 98 0 00

21 M^{r} Mathew Bateson (formerly M^{r} Henry Timberley) a tenement and two shares of land in y^{e} occupation of Severne Viccars and his assigne John Sweeting. Abutting at y^{e} south end vppon y^{e} south side sea, and at y^{e} north end vppon y^{e} north side sea neare y^{e} sounds mouth. Lying betweene y^{e} lands of Cap^{t} Richard Jennynes to y^{e} eastward, and y^{e} lands of Hugh Wentworth to y^{e} westward cont ꝑ estimat . 49 0 00

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No.		A.	R.	P.
22	Mʳ Hugh Wentworth of Warrick Tribe (formerly Mʳ Henry Timberly) two shares of land Namely a dwelling house and one share and halfe of land in the occupation of Edward Smith, and another tenement and halfe a share in the occupation of John Winterflood; In all two shares lying together. Abutting at yᵉ south end vppon the south side sea and at the north end vppon yᵉ north side sea lying betweene lands of Mʳ Bateson to yᵉ eastwards & yᵉ Lands of Capᵗ William Sayle Elyas fflowers and John Young to yᵉ westwards cont̃	49	0	00
23	Capᵗ William Sayle (formerly Robert Johnson Alderman) his mansion house and two shares of Land; Abutting at yᵉ south end vppon the south side sea, and partly vppon a parcell of common land, And at yᵉ north end vppon a share of Elyas Fflowers. Lying betweene yᵉ lands of Hugh Wentworth afforesaid to yᵉ eastwards and other lands of Capᵗ Sayles and a part of yᵉ common land to yᵉ westwards cont̃ ꝑ estimat̃ .	40	0	00
24	Elyas Fflowers (formerly Alderman Johnson) A tenement and one share of land in the occupation of Tho: Wells Abutting at yᵉ south end vppon yᵉ afforesaid land of Capᵗ Sayles, and at yᵉ north end partly vppon a share of Capᵗ Sayles, and partly vppon a share of John Young Lying betweene yᵉ land of Hugh Wentworth afforesaid to the eastward, and a share of Capᵗ Sayle to yᵉ westward	24	2	00
25	John Young (formerly Alderman Johnson) A tenement & one share of land in his owne occupation, Abutting at yᵉ south end vppon the land of Elias Fflowers and at yᵉ north end vppon the north side sea. Lying betweene yᵉ land of Hugh Wentworth afforesaid to yᵉ eastward and a share of Capᵗ Sayles to yᵉ westward cont̃ ꝑ estimat̃ . . . . . . , . .	24	2	00
26	Capᵗ William Sayle (formerly Alderman Johnson) a tenement and one share of land in the occupation of George Smith; Abutting at yᵉ south end vppon yᵉ foresaid share of Elias Fflowers and at yᵉ north end upon yᵉ north side sea. Lying betweene yᵉ lands of John Younge afforesaid to			

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		A.	R.	P.
	y^{e} eastward and other land of y^{e} said Cap^{t} Sayles to y^{e} westward cont̃ ꝑ estimat̃	24	2	00
27	Cap^{t} William Sayle (formerly M^{r} John Wroth) three tenements and three shares of land as followeth namely y^{e} southermost In y^{e} occupation of Richard Jennyns			
28 29	The Middlemost in y^{e} *in y^{e}* occupation of Thomas Bostwick: And y^{e} northermost in y^{e} occupation of Charles Crockford, All three lying together and abutting at y^{e} south end vppon y^{e} Common Land & y^{e} south side sea & *and* at y^{e} north end vppon y^{e} north side sea, Lying betweene the lands afforesaid formerly Alderman Johnson to y^{e} eastwards, and y^{e} lands formerly S^{r} John Worsenholmes to the westward cont̃. . . .	73	2	00
30	William Spatchurst of Smiths tribe by his wife late wife of John Argent, one share of land in his owne occupation, being part of foure shares formerly S^{r} John Worsenholmes. Abutting at y^{e} South end vppon y^{e} common land, and south side sea and at y^{e} north end vppon y^{e} lands of Cap^{t} Richard Jennynes Lying betweene lands afforesaid of y^{e} Governo^{r} to y^{e} eastward, and y^{e} lands of Parnell Wilkinson to the westward cont̃ ꝑ estimat̃ . . . . with y^{e} dwelling house	24	2	00
31	Parnell Wilkinson of Tuckers Towne (formerly S^{r} John Worsenholmes) a tenement and one share of land in y^{e} occupation of John ap Owen. Abutting at y^{e} south end vppon the Common land and south-side sea and at y^{e} north end vppon the lands of Cap^{t} Richard Jennyns. Lying betweene y^{e} lands of William Spachurst to y^{e} eastward and Devonshire tribe to the westward cont̃ ꝑ estimat̃	24	2	00
32	Cap^{t} Richard Jennynes of Smiths tribe (formerly S^{r} John Worsenholme) A dwelling house and two shares of land in y^{e} occupation of Tho: Griffin Abutting at the south end vppon y^{e} shares of William Spatchurst and Parnell Wilkinson afforesaid; And at y^{e} north end vppon the north side sea; lying betweene y^{e} lands afforesaid of Cap^{t} Sayles to y^{e} estward and Devonshire tribe to y^{e} westward cont̃ ꝑ estimat̃	49	0	00

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		A.	R.	P.
33	Smiths tribe a parcell of Common land contꝰ 12½ acres neare y^{e} south side. Abutting at y^{e} south end vppon y^{e} pond, and at y^{e} north end vppon y^{e} severall lands afforesayde; And lying betweene y^{e} lands of Cap^{t} William Sayle afforesaid to y^{e} eastward, and Devonshire tribe to the westward This parcell of Common land is appertayning and laid out for 25 shares in This Tribe, w^{ch} are as followeth beginning with y^{e} eastermost; Namely M^{r} John Sommersall for fiue shares, Cap^{t} Richard Jennynes foure shares M^{r} Bateson 2 shares Hugh Wentworth 2 shares, John Young 1 sh, Cap^{t} William Sayle 1 sha: Elyas fflowers 1 sha: Cap^{t} William Sayle 3 shares Cap^{t} Richard Jennynes 2 sh William Spatchurst and Parnell Wilkinson two shares y^{e} whole contꝰ	12	2	00

So this tribe called Smiths tribe contayneth fifty shares, and every share with y^{e} Common ground thereto belonging twenty & fiue acres & so this tribe called Smiths tribe (as others) contꝰ 1250 acres.

DEVONSHIRE TRIBE.

Beginning on the east side of the tribe next adjoyning to Smiths tribe.

		A.	R.	P.
1	Richard ap Owen late M^{r} Anthony Penistone (formerly M^{r} Johnson) A tenement and two shares of land, in his owne occupation, Abutting at y^{e} south end vppon y^{e} South side sea and at y^{e} north end vppon the north side sea lying betweene Smiths tribe to y^{e} eastward, and y^{e} freeschoole land to y^{e} westward contꝰ	49	0	00
2	The ffreeshoole (formerly y^{e} lands of M^{r} Benson and M^{r} ffaucet) The dwelling house shoole house and outhouses with a tenement and two shares of land in y^{e} occupation of Persivall Golding and his assignes. Abutting at y^{e} south end vppon the south side sea, and at y^{e} north end vppon the north side sea, lying betweene y^{e} lands of M^{r} Richard Ap-Owen to the eastward & y^{e} lands of M^{r} Leonard Ward to y^{e} westward contꝰ	24	2	00

	A.	R.	P.
3 Mʳ Leonard Ward (sometimes Capᵗ John Bernard & formerly Mʳ Bishopp) the dwelling house & other tenement with two shares of land in yᵉ occupat of Samuell Wise & his assignes. Abutting at yᵉ south end vppon yᵉ south side sea neare Harrises bay and at yᵉ north end vppon yᵉ north side sea Lying betweene ye ffree-schoole lands to yᵉ eastward, and yᵉ lands late yᵉ Earle of Warwicks and partly yᵉ Common ground, and partly Harrises-bay to yᵉ westward cont . .	49	0	00
4 Mʳ Perient Trott (sometimes yᵉ Earle of Warwicks and formerly Mʳ Weld, three) tenements and two shares of land Namely one tenement and one share of land in the occupat of John Bailey, 5 and another tenement and halfe a share in yᵉ occupation of Edward Bickerton 6 And another tenement and halfe a share in yᵉ occupation of Robert Baily. In all two shares lying together. Abutting at yᵉ south end vppon a parcell of Common land, and at yᵉ north end vppon the north side sea Lying betweene yᵉ lands of Mʳ Ward afforesaid to yᵉ eastward, and yᵉ lands of John Long to yᵉ westward cont	49	0	00
7 John Long of Devonshire Tribe (formerly Mʳ Alderley or Mʳ Francis West) Three tenements and two shares of land in yᵉ occupation of yᵉ said John Long and his assignes. Abutting at yᵉ south end partly vppon yᵉ said common land and partly vppon yᵉ south side sea neare Harrises bay, and at yᵉ north end vppon yᵉ north side sea Lying betweene yᵉ foresaid lands of Mʳ Trott to yᵉ east and yᵉ lands of yᵉ Earle of Devonshire to yᵉ westward cont	49	0	00
8 Devonshire tribe A parcell of Common ground at yᵉ bottome of Harrises-bay cont 10 Acres Lying betweene yᵉ lands of Mʳ Leonard Ward to yᵉ eastward and of John Long to yᵉ westward. This parcell of common land is appertaining to 20 shares in this tribe in this order as followeth begining at yᵉ eastermost Namely to Richard ap-Owen 2 shares, to yᵉ free-schoole for 2 shares Mʳ Leonard Ward 2 shares Mʳ Perient Trott 2 shares, John Long 2 sh yᵉ Earle of			

A. R. P.

Devonshire 10 sh, so for these 20 shares there
is Common ground cont̃ 10 0 00

9 The Right honoble ye Earle of Devonshire (formerly
William Lord Cavendish) tenn shares of land
with ye tenements and appertenances. Which
tenn shares (except ye three eastermost) are not
regularly subdivided, but by ye estimat̃ and
mutuall agreement of ye tennants. And so there
is in ye occupation of Richard Jones three
shares; Jonathan Longstone a share and a
10 halfe, Late Roger Dobbs one share, William
Longstone two sha and an halfe, David Longstone
one share, widdow Long one share The
whole 10 shares lying together And abutting at
ye south end vppon ye south side sea and at ye
north end vppon ye north side sea. Lying betweene
ye lands of John Long afforesaid to ye
eastward and ye Lands formerly Mr Edward
Luckin to ye west 245 0 00

Within these 10 shares is ye Church and Church yard for this & ye next tribe.

11 John Cox of Hamilton tribe (formerly Mr Edward Luckin) A tenement and two shares of land in the occupation of Bartholmew Cotes. Abutting at ye south end vppon ye south side sea, and at ye north end vppon ye land of Capt Williams. Lying betweene ye lands of ye Earle of Devonshire to ye eastward and the lands of Capt Geo: Hubbart to ye westward cont̃ ꝑ estimat̃ . . 49 0 00

12 Capt William Williams of Devonshire tribe (formerly Mr Edward Luckin) Two tenements, and two shares of land, in the occupation of himselfe and his sonne William. Abutting at ye south end, vppon ye lands of John Cox afforesaid, and at ye north end vppon ye north side sea, lying betweene ye lands of the Earle of Devonshire to ye eastward and ye lands of Capt Geo: Hubbart to ye westward cont̃ ꝑ estimat̃ 49 0 00

13 Capt George Hubbart of Devonshire Tribe (formerly Mr Edward Luckin) his dwelling house and two sha: of land in his owne occupation. Abutting at ye south end vppon ye south side sea, and at ye north end vppon ye north side sea Lying between ye lands of John Cox and Capt Williams

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No.		A.	R.	P.
	to y^{e} eastward and y^{e} lands of M^{r} John Turner and ffrancis Watlington to y^{e} westward cont̃ ꝑ estimat̃	49	0	00
14	M^{r} John Turner of Devonshire Tribe (formerly Cap^{t} Edward Ditchfield) his dwelling house and two shares of land in the occupation of himselfe and his sonne Jonathan Turno^{r} Abutting at y^{e} south end vppon y^{e} south side sea, and at y^{e} north end vppon y^{e} lands of M^{r} ffrancis Watlington. Lying betweene y^{e} lands of Cap^{t} George Hubbart to y^{e} eastwards and a share of Jonathan Turners to y^{e} westward cont̃ ꝑ estimat̃ . .	49	00	00
15	M^{r} ffrancis Watlington of Devonshire tribe (formerly Cap^{t} Edward Ditchfield) his dwelling house and two shares of land in his owne occupation; Abutting at y^{e} south end vppon y^{e} lands of M^{r} John Turno^{r} afforesaid, and at y^{e} north end vppon y^{e} north side sea called oyly-bay. Lying betweene y^{e} lands of Cap^{t} George Hubbart to y^{e} Eastwards and y^{e} lands of John Hariot to y^{e} westwards cont̃ ꝑ estimat̃.	49	0	00
16	Jonathan Turno^{r} of Devonshire tribe (formerly M^{r} Nichols) one share of land in his owne occupation. Abutting at y^{e} south end vppon the south side sea & at y^{e} north end vppon y^{e} land of John Hariot. Lying betweene y^{e} lands of M^{r} John Turno^{r}, and y^{e} said Jonathan Turno^{r} to y^{e} eastwards, and y^{e} lands in y^{e} tenure of Richard Ap-Owen senio^{r} to y^{e} westward cont̃ ꝑ estimat̃ .	24	2	00
17	John Hariot of Devonshire Tribe (formerly M^{r} Nichols) a tenement and one share of land in his owne occupat̃ Abutting at y^{e} south end vppon the land of Jonathan Turno^{r} afforesaid, and at north end vppon y^{e} north side sea. Lying betweene y^{e} lands of M^{r} ffrancis Watlington to y^{e} eastward, and y^{e} lands in y^{e} tenure of Richard Ap-owen to y^{e} westward cont̃ ꝑ estimat̃ . .	24	2	00
18	M^{r} Knightley or M^{r} Dike (formerly M^{r} Edward Ditchfield or S^{r} John Wild) Two tenements and one share of land in the tenure of Richard Ap-Owen senio^{r} and his sonne Charles. Abutting at y^{e} south end vppon y^{e} south side sea and at y^{e} north end vppon y^{e} north side sea. Lying betweene y^{e} lands of Jonathan Turno^{r} And			

A. R. P.

John Hariot to yᵉ eastward, and yᵉ lands of Mʳ ffletcher to yᵉ westward conᵗ ꝑ estimaᵗ . . 24 2 00

19 Mʳ ffletcher formerly mʳ ffletcher senioʳ Two tenements and two shares of land in the occupation of Capᵗ Rich: Herbert and his mother in law Mʳˢ Cooke. Abutting at yᵉ south end vppon yᵉ south side sea and at yᵉ north end vppon yᵉ north side sea. Lying betweene yᵉ lands in the occupation of Richard Ap-Owen to the eastward and yᵉ lands of Mʳ Delawne to yᵉ westwards conᵗ 49 0 00

20 Mʳ Delawne formerly Mʳ Giddeon Delawne senioʳ two shares of land Namely a tenement and one share of land beeing the southermost of the two in the occupation of Robert Wandy, and another tenement and one share of land beeing the northermost in the occupation of Richard Morris. Both shares lying together, and abutting at yᵉ south end vppon yᵉ south side sea and at yᵉ north end vppon yᵉ north side sea Lying betweene yᵉ lands of Mʳ ffletcher to yᵉ Eastward and Paggetts tribe and yᵉ lands of Mʳ John Stow to yᵉ westwards conᵗ ꝑ estimaᵗ . 49 0 00

21 Mʳ John Stow of Pembrooke tribe (late mʳ Anthony Pennistone and formerly Mʳ Roberts) three tenements and three shares of land, In yᵉ Occupation of Beniamin Bowin Ann Dawes widdow and Thomas Budd. All lying together. And Abutting at yᵉ south end vppon Pagetts Tribe, And at yᵉ north end vppon part of yᵉ Common land. Lying betweene yᵉ lands of Mʳ Delawne to yᵉ eastward, and yᵉ lands of Thomas Plummer to yᵉ west 73 2 00

22 Tho Plummer of Devonshire tribe (formerly Mʳ Best or Mʳ Hayward) a tenement and two shares of land; Abutting at yᵉ south end vppon pagets tribe and at yᵉ north end vppon yᵉ Common land. Lying betweene yᵉ lands of Mʳ Stow to yᵉ Eastward, and yᵉ land of Beniamin Downing to the westward conᵗ ꝑ esᵗ 49 0 00

23 Beniamin Downing of Devonshire tribe (formerly Mʳ Edward Luckin) two tenements and two shares of land in the occupation of David Roe, and Arthur Sawyer. Abutting at yᵉ south end

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	A.	R.	P.
vppon Pagets tribe and at yᵉ north end vppon yᵉ Common ground, Lying betweene yᵉ lands of Tho: Plummer to yᵉ eastwards, and yᵉ lands formerly Mʳ Rogers to yᵉ westward . . .	49	0	00
24 Mʳ Thomas Ellis (formerly Mʳ Rogers) A tenement and two shares of land in the occupation of William Hutchinson. Abutting at yᵉ south end vppon Paggets tribe, And at yᵉ north end partly vppon the Common land and partly vppon the north side sea near Brackish pond Dock lying betweene yᵉ land of Beniamin Downing to yᵉ eastwards, and of Mʳ Joseph Wiseman to yᵉ westward cont̃	49	0	00
25 Devonshire Tribe A parcell of common land of fifteene acres, lying at Brackish pond dock Abutting at yᵉ south end vppon yᵉ lands before entred, and at yᵉ north end vppon the north side sea, and appertaining to 30 shares in this tribe, in such order as followeth, begining from yᵉ eastermost namely John Cox & Capᵗ Williams 4 shares Capᵗ Hubbart 2 sh: Mʳ John Turnoʳ and Mʳ ffrancis Watlington 4 sha: Jonathan Turnoʳ and John Hariot 2 sh. Mʳ Dike 1 share Mʳ ffletcher 2 sha: Mʳ Delawne 2 sha: Mʳ Stow 3 sha Tho Plummer 2 shares Beniamin Downing 2 sha: Mʳ Thomas Ellis 2 shares Mʳ Joseph Wiseman 2 shares Mʳ Vaugham and Mʳ Tho: Clarke 2 sha. cont̃ .	15	0	00
26 Mʳ Joseph Wiseman of Warwick tribe (formerly Mʳ William Palmer or Mʳ Antony.) Two tenements and two shares of land in the occupation of Thomas Garoway and widdow Wells. Abutting at yᵉ south end vppon Pagets tribe, and at yᵉ north end vppon yᵉ north side sea. Lying betweene yᵉ lands in the occupat̃ of William Hutchinson to yᵉ eastwards, and yᵉ lands of Mʳ Vaughan and Thomas Clarke to yᵉ westward cont̃	49	0	00
27 Mʳ John Vaughan of Georges Towne (late Mʳ Trimingham and formerly Mʳ William Palmer or Mʳ Anthony) A tenement and one share of land in the occupation of Tho Hutchings. Abutting at yᵉ south end vppon Pagets tribe, and in part vppon the bottome of Crow-lane;			

		A.	R.	P.
	And at yᵉ north end vppon Thomas Clarkes. Lying betweene yᵉ lands of Mʳ Joseph Wiseman to yᵉ eastwards, and Pembrooke tribe to yᵉ westward cont̃	24	2	00
28	Mʳ Thomas Clarke (formerly Mʳ William Palmer or Mʳ Anthony) A tenement and one share of land in the occupation of Martin Potter. Abutting at yᵉ south end vppon yᵉ land of Mʳ Vaughan, and at yᵉ north end vppon yᵉ north side sea. Lying between yᵉ lands of Mʳ Joseph Wiseman to yᵉ eastwards, And Pembrooke tribe to yᵉ westward cont̃	24	2	00

And thus this tribe called Devonshire tribe containeth as other tribes fifty shares, and every share with the Common land in the tribe thereto belonging 25 acres. The whole tribe containeth 1250 acres.

PEMBROOKE TRIBE.

Begining on the East side next adjoyning to Devonshire tribe.

		A.	R.	P.
1 2	Capᵗ Thomas Richards of Southampton tribe (formerly Mʳ George Smith or Mʳ Wheatley) two tenements and two shares of land, namely yᵉ one beeing the southermoste in the occupation of Mʳ John Elwick; and yᵉ other in the occupation of Christopher Cumber Both shares lying together and abutting at yᵉ south end vppon yᵉ Arme of ye sea called Crow-lane neare yᵉ bottome. And at yᵉ north end vppon yᵉ north side sea lying betweene yᵉ two shares last before entred of Devonshire tribe to yᵉ eastward & the two shares next following to yᵉ westward cont̃ ꝑ est̃	49	0	00
3	Josias Newnam of Pembrooke tribe (formerly Mʳ George Smith or Mʳ Wheatley) a tenement and one share of land in his owne occupation Abutting at yᵉ south end vppon Crow-lane afforesaid, And at yᵉ north end vppon yᵉ share next following. Lying betweene yᵉ share afforesaid in yᵉ occupat̃ of Mʳ Elwick to yᵉ eastward and yᵉ Gleabe land to yᵉ westward cont̃ ꝑ estimat̃ .	24	2	00
4	Capᵗ Thomas Richards of Southampton Tribe (for-			

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	A.	R.	P.
merly Mʳ George Smith or Mʳ Wheatley) a tenement and one share of land in yᵉ occupation of Robert Islake. Abutting at yᵉ south end vppon yᵉ land of Josias Newnam and at yᵉ north end vppon yᵉ north side sea. Lying between yᵉ share in yᵉ occupation of Christopher Cumber to yᵉ eastwards, and yᵉ Gleabe land to yᵉ westward conť ꝑ esť	24	2	00
5 Gleabe land (formerly Mʳ Leavers) the Gleabe house and two shares of land, In yᵉ tenure of Mʳ Sampson Bond as Minister of Pembrooke & Devonshire Tribe, both lying together. Abutting at yᵉ south end vppon Crow-lane and at yᵉ north end vppon yᵉ north side sea. Lying betweene yᵉ lands in yᵉ occupation of Josiah Newnam and Robert Eastlake to yᵉ eastward and Mʳ Dorrell to ye westward conť ꝑ estimať . .	49	0	00
6 Mʳ John Dorrell of Warwick tribe (formerly Mʳ Nicholas Hide) a tenement and one share of land in yᵉ occupation of John Ingham. Abutting at yᵉ south end vppon Crow lane and at yᵉ north end vppon yᵉ north side sea; lying betweene yᵉ Gleabe land to yᵉ eastward and a share of land in yᵉ occupation of Thomas Weaverly to yᵉ westward conť	24	2	00
7 Sʳ Lawrence Hide (formerly) a tenement and one share of land in yᵉ occupation of Tho: Weaverly Abutting at yᵉ south end vppon Crow-lane, and at yᵉ north end vppon yᵉ north side sea. Lying betweene yᵉ lands of Mʳ Dorrell to yᵉ eastward and yᵉ lands of Mʳˢ Hannah Dounscombe to yᵉ wesť: conť	24	2	00
8 Mʳˢ Hannah Dunscombe of Pembrooke tribe (formerly Mʳ Thomas Judwin) A tenement and two shares of land in her owne occupation. Abutting at yᵉ south end vppon Crow-lane and at yᵉ north end vppon yᵉ north side sea. Lying betweene yᵉ lands formerly Sʳ Lawrence Hides to yᵉ eastward, and yᵉ lands formerly yᵉ Earle of Pembrookes to ye westward conť . . .	49	0	00
9 Late Sʳ Beniamin Rudyer and Mʳ John Grant (formerly yᵉ Earle of Pembrookes) fiue Tenement and six shares of land in yᵉ occupation of Henry ffoord senioʳ Giddeon Seares Richard Richard-			

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		A.	R.	P.
	son, Tho Johnson and Edward Seares. All lying together and abutting at y^e south end vppon Crow-lane, and at y^e north end vppon y^e north side sea. Lying betweene y^e lands of M^{rs} Hannah Dunscombe to y^e eastward, and y^e lands now or late M^r Alexander Pimme to y^e westward cont.	147	0	00
10	M^r Alexander Pimme now or late (formerly y^e Earle of Pembrooke) three tenements and foure shares of land in y^e occupation of Richard Richardson John Pittman senio^r ffra: Saltus and Richard Potter. All lying together, and abutting at y^e south end vppon Crow-lane and at y^e north end vppon y^e north side sea. lying betweene y^e lands last before entred to y^e eastward, and y^e lands formerly M^r Drapers to y^e westward cont	98	0	00
11	M^r Perient Trott (formerly M^r Draper) A share of land namely one tenement and y^e south halfe of this share in y^e occupation of Thomas Swan, and another tenement and y^e north halfe share in the occupation of Robert Burton y^e whole share lying together and abutting at y^e south end vppon Crow-lane and at y^e north end vppon y^e north side sea lying betweene y^e lands y^t were formerly y^e lands of y^e Earle of Pembrookes to y^e eastward, and y^e share in y^e occupation of Abiell Beake to y^e westward cont .	24	2	00
12	Late Colonell Owen Roe (formerly M^r Harding or M^r Bryerley) a tenement and one share of land in y^e occupation of Abiell Beake. Abutting at y^e south end vppon Crow-lane and at y^e north end vppon y^e north side sea. Lying betweene y^e share last before entred to y^e eastward, and y^e share next following to y^e westward cont .	24	2	00
13	M^r Bartholomew Rosyer (formerly M^r Speckart) one sh: of land. Namely a tenement with y^e south halfe sha: in y^e occupation of Samuell Hopkins, and another tenement and y^e north halfe share in y^e occupation of ffran-ffarnell. The whole share lying together, and abutting at y^e south end vppon Crow-lane and at y^e north end vppon y^e north side sea, lying betweene y^e share last before entred to y^e eastward and y^e share of Samuell Whitney to y^e west: . .	24	2	00

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	A.	R.	P.
14 M^{r} Samuell Whitney of Sandys tribe (formerly M^{r} Ward) A tenement and one share of land in the occupat of John Beake. Abutting at y^{e} south end vppon Crow-lane, and a point of land there, and y^{e} north end vppon y^{e} north side sea Lying betweene y^{e} lands of M^{r} Barthol: Rosyer to y^{e} eastward, and y^{e} lands of M^{r} Roberts to y^{e} westward cont	24	2	00
15 M^{r} Roberts (formerly M^{r} ffearne) A tenement and one share of land in the occupation of Humphrey Dobson Abutting at y^{e} south end vppon Crow-lane, and a bay there called Records bay, and at y^{e} north end vppon y^{e} north side sea. Lying betweene y^{e} lands of Sam: Whitney afforesaid to y^{e} eastwards, and the lands of M^{r} Christopher Burrowes to y^{e} westward cont	24	2	00
16 M^{r} Christopher Burrowes of Sandys tribe (formerly M^{r} ffearne) one share of land, Namely a tenement and the south halfe of y^{t} share in the occupation of David Watkins & tenement and y^{e} other halfe share in y^{e} occupation of John Kempe. The whole share lying together & Abutting at y^{e} south end vppon Crow-lane and at y^{e} north end vppon y^{e} north side sea. Lying betweene y^{e} lands of M^{r} Roberts to y^{e} eastward, and y^{e} lands of M^{r} Dennys y^{e} westward cont	24	2	00
17 Mr. Dennys (formerly Mr. Jacobson) one share of land namely a tenement and y^{e} south halfe of y^{t} share in y^{e} occupation of Hammond Johnson; And a tenement and y^{e} north halfe of y^{t} share in y^{e} occupation of Daniell Bullard junio^{r}. The whole share lying together and abutting at y^{e} south end vppon Crow-lane and at ye north end vppon y^{e} north side sea. Lying betweene y^{e} lands of Christopher Burrowes to y^{e} eastward and a share of Nathaniell Waterman to y^{e} westward cont	24	2	00
18 Nathaniell Waterman of Pembrooke Tribe (late M^{r} ffarrer and formerly M^{r} Hodges) one share of land in his owne occupation Abutting at y^{e} south end vppon Crow-lane and at y^{e} north end vppon y^{e} north side sea. Lying betweene y^{e} lands of M^{r} Dennys afforesaid to y^{e} eastward and y^{e} ffree-schoole land to y^{e} westward cont .	24	2	00

		A.	R.	P.
19 20	ffree-schoole land (formerly M^r Holman 1 sha: & M^r ffarrer 1 sh:) two shares of land giuen to the ffree-schoole by M^r ffarrer namely, a tenement and one share off land in y^e occupation of Daniell Bullard senio^r Item a tenement and y^e south halfe of another share in y^e occupation of Richard Sanders Item another tenement and halfe a share in y^e occupation of William Stafford In all two shares lying together. Abutting at y^e south end vppon Crowlane, and at y^e north end vppon y^e north side sea. Lying betweene y^e lands of Nathaniell Waterman to y^e eastward, and y^e lands of M^r Henry ffoord to y^e westward	49	0	00
21	M^r Henry ffoord junio^r of Pembrooke tribe (formerly M^r Canning) A tenement and two shares of land, y^e south share in his owne occupation; the north share in y^e occupation of Cap^t William Sayle; Both shares lying together and abutting at y^e south end vppon Crow-lane and at y^e north end vppon y^e north side sea lying betweene y^e schoole land to y^e eastward, and y^e lands next following to y^e westward con^t	49	0	00
22	. . . . . . (formerly M^r Martin) The dwelling house and two shares of land in y^e occupation of Cap^t William Sayle. Abutting at y^e south end vppon Crow lane and partly vppon y^e bay there called ffoords bay, and at y^e north end vppon y^e north side sea: lying betweene y^e lands last before entred to y^e eastward, and y^e lands of M^r Henry Moore to y^e westward con^t .	49	0	00
23	M^r Henry ffoord junio^r of Pembrooke tribe (formerly M^r Abbot) one share of land in his owne occupation Abutting at y^e south end vppon Crow-lane, and y^e bay there called ffoords bay, and at y^e north end vppon y^e lands of M^r Henry Moore. Lying betweene y^e lands last before entred to y^e eastwards and y^e lands of John Squire to y^e westward con^t	24	2	00
24	M^r Henry Moore of Pembrooke Tribe (formerly M^r Abbots) one share of land in y^e occupation of Thomas Dunscomb Abutting at y^e south end vppon y^e foresaid share of Henry ffoord and at y^e north end vppon y^e north side sea. Lying			

	A.	R.	P.
betweene y^e lands afforesaid in y^e occupation of Cap^t William Sayle to y^e eastward and y^e lands of John Squire to y^e westward cont̃ . . .	24	2	00
25 John Squire of Pembrooke tribe (formerly M^r Richard Caswell) two shares of land namely, a share and an halfe of land in his owne occupation. And another tenement and halfe a share of land in y^e occupation of Henry Jones. In all two shares lying together and Abutting at y^e south end vppon Crow lane and at y^e north end vppon y^e north side sea; lying betweene y^e two shares last before entred to y^e eastward, and y^e lands of M^r Rich Norwood to y^e westward cont̃.	49	0	00
26 M^r Richard Norwood of Pembrooke tribe (formerly M^r Richard Caswell) his dwelling house and two sha: of land: Abutting at y^e south end vppon Crow lane and at y^e north end vppon y^e north side sea. Lying between y^e lands of John Squire to y^e eastward and y^e lands formerly S^r Leonile Cranfeilds and S^r Tho: Smiths to y^e westwards cont̃	49	0	00
27 M^r John Stow of Pembrooke tribe (formerly S^r Thomas Smith) Two shares of land called y^e point shares in his owne occupation. Abutting at y^e south end vppon Crow-lane and at y^e north end vppon y^e bay com̄ing vpp to his house called Daniells bay; And bounded by y^e lands of M^r Richard Norwood afforesaid to y^e eastwards, and y^e Great Sound to y^e westward, cont̃ . .	49	0	00
28 M^r John Stow and as some say M^r John Edwards (formerly S^r Leonile Cranfeilde) A faire dwelling house and two shares of land, called y^e Mill shares lying together in y^e occupation of y^e said M^r Stow. Abutting at y^e south end vppon Daniells bay afforesaid, and partly vppon M^r Stowes two shares afforesaid; And to y^e northward vppon Mill-creeke or Mangrove bay. And bounded to y^e eastward by y^e lands of Richard Norwood afforesaid and to y^e westwards by y^e Great Sound cont̃	49	0	00
29 M^{rs} Trimingham (formerly S^r Thomas Smith) a tenement and one share of land in y^e occupation of Sam: Dunscombe Abutting at y^e south end			

	A.	R.	P.
vppon Mill creeke afforesaid, and at ye north end vppon ye north side sea, neare Abbotts bay: Lying betweene ye lands of Mr Richard Norwood to ye eastward, and ye lands of Mr Edwards & a parcell of common land to ye westward cont̃	24	2	00
30 Mr Edwards (formerly Mr Cartwright) A tenement and one share of land in the occupation of Richard Hanger Abutting at ye south end vppon ye Mill Creeke, and at ye north end vppon ye common land at Abbots bay. Lying betweene ye lands of Mrs Trimingham afforesaid to ye eastward, and the lands of Mr Henry Moore to ye westward cont̃	24	2	00
31 Pembrooke Tribe a parcel of Common ground lying at Abbots bay cont̃ 15 acres lying betweene ye lands of Mrs Trimingham afforesaid to ye eastwards and Mr Henry Moore to ye westward wch parcell of common land is appertaining to 30 shares in this tribe, lying in such order as followeth. Capt Thomas Richards for two shares Josiah Newnam & Capt Thomas Richards 2 sh: Gleabe 2: Mr John Dorrell 1 sh: Sr Lawrence Hide one share Mrs Hannah Dunscombe 2 sh: Sr Beniamin Rudyer and Mr John Grant 6 shares Mr Alexander Pimme 4 sh: Mr Perient Trott one share Late Colonell Roe 1 sh: Mr Bartholmew Rosyer 1 sh: Mr Sam Whitney 1 sh: Mr Roberts 1 sh: Mr Christopher Burrowes for 1 share Mr Dennys for 1 sh Nath: Waterman for 1 sh: schoole land for 2 shares ffor these thirty shares there is here laid a parcell of common land vndevided cont̃	15	0	00
32 Mr Henry Moore (formerly Sr Anthony Ager) of Pembrooke tribe, a dwelling house and two shares of land. Abutting at ye south end vppon ye Mill Creeke Bosses Hole bay and at ye north end vppon ye north side sea. Lying betweene ye lands of Mr Edwards and ye common ground afforesaid to ye eastward, and ye lands of Mr Thomas Wood and another parcell of common ground to ye westward cont̃	49	0	00
33 Mr Thomas Wood of Pembrooke tribe (formerly Mr William Payne) A tenement and two shares			

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of land abutting at y^{e} south end vppon y^{e} said bite or bay called bosses hole and vppon Long point and at y^{e} north end vppon y^{e} parcell of Common ground lying at Spannish point lying betweene y^{e} lands of M^{r} Henry Moore afforesaid to y^{e} eastward and y^{e} sea called y^{e} Great Sound to y^{e} westward cont̃ 49 0 00

34 Pembrooke tribe a parcell of common land of tenn acres lying at Spannish point. Abutting at y^{e} south end vppon y^{e} lands of M^{r} Thomas Wood, and at y^{e} north end vppon y^{e} north side sea. Lying betweene y^{e} lands of M^{r} Henry Moore to y^{e} eastward and a parcell appointed to y^{e} vse of whale fishing to y^{e} westward w^{ch} parcell of common land belongeth to 20 shares in this tribe In such order as followeth, begining at y^{e} eastermost where wee left M^{r} Henry foord junio^{r} 2 sh: In Cap^{t} William Sayles occupation 2 shares M^{r} Henry ffoord junio^{r} and M^{r} Henry Moore 2 shares John Squire 2 shares. M^{r} Richard Norwood 2 sh M^{r} John Stow 2 sh M^{r} John Stow other 2 shares M^{r} Trimingham 1 sh M^{r} Edward 1 sh M^{r} Henry Moore 2 sh M^{r} Thomas Wood 2 sh for these 20 shares there is here laid a parcell of common land vndivided cont̃ 10 0 00

And thus this Tribe called Pembrooke Tribe contayneth fifty shares and every share with y^{e} Common ground thereto belonging within y^{e} tribe 25 acres The whole Tribe as others contayne 1250 acres

Item there is moreover in this Tribe at y^{e} point called Spanish point a parcell of ground w^{ch} by relation of y^{e} moste Ancient Inhabitants was appointed for y^{e} vse of whale fishing. Lying betweene y^{e} foresaid parcell of Common ground to y^{e} Eastwards, and y^{e} bay and point called Spanish point to y^{e} westward cont̃ ꝑ estimat̃ 7 acres

PAGETS TRIBE.

Begining on the east side of the tribe next adioyning to Devonshire Tribe.

		A.	R.	P.
1	M^r Alexander Pymme and M^r Charles Pymme (formerly S^r William Garway) fiue shares of land. Namely a tenement and one share of land in the occupation of William Smith. Item another tenement and one share of land in the occupation of John Johnson. Item one share in the occupation of M^r Nicholas Thorntone Item y^e dwelling house and two shares of land in y^e occupation of Cap^t Edward Stanyon. Item y^e south part of these fiue shares betweene y^e pond and y^e south side sea with a tenement thereon is in y^e occupation of Robert Ryder) all the fiue shares lying together, And abutting at y^e south end vppon y^e south side sea, and at y^e north end vppon Devonshire Tribe. Lying betweene Devonshire Tribe to y^e eastwards and y^e lands of M^r Thomas Murrell, and a parcell of Common land to y^e westward conť	122	2	00
2	M^r Thomas Murrell of Southampton Tribe (formerly Alderman Cotton) A tenement and one share of Land in y^e occupation of Thomas Parker. Abutting at y^e south end vppon a parcell of common Land, and at y^e north end vppon Devonshire Tribe. Lying betweene y^e lands of M^r Pymme afforesaid to y^e eastward and y^e share in y^e occupation of William Smith Junio^r and William Watkins to y^e westward conť ꝑ estimať	24	2	00
3	Paggets Tribe a parcell of Common ground of 12 acres at a bay called Hungry bay lying betweene y^e lands of M^r Pymm afforesaid to y^e eastward, and the share of land in y^e occupať of William Smith junio^r and William Watkins to y^e westward This parcell of common land belongeth to 24 shares in this tribe in manner following begining from y^e eastermost namely. M^r Alexander Pymme and M^r Charles Pymme 5 sh M^r Tho: Murrell 1 sh: In y^e occupať of William Smith and William Watkins 1 sh: M^r Chandler 1 sh,			

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		A.	R.	P.
	Mʳ Tho Murrell 2 sh Esqʳ Hugh Bascoyne 5 sh Mʳ Alexander and Mʳ Charles Pymme 5 shares Mʳˢ Trimingham 2 sh Tho fforster and Nicholas How 2 sh : in all	12	0	00
4	Doctoʳ . . . . Gunding (formerly Alderman Cotton) two tenements and one share of land in the occupat̃ of William Smith junioʳ and William Watkins Abutting at yᵉ south end vppon yᵉ south side sea, and at yᵉ north end vppon Devonshire Tribe. Lying betweene yᵉ lands of yᵉ said Thomas Murrell, the Common ground on Hungry bay to yᵉ eastward and yᵉ lands of Mʳ Chandler to yᵉ westward cont̃ ꝑ estimat̃ . .	24	2	00
5	Mʳ Chandler (formerly Alderman Cotton) a tenement and one share of land in yᵉ occupation of Mʳ Nicholas Thornton Abutting at yᵉ south end vppon yᵉ south side sea and at yᵉ north end vppon Devonshire Tribe. lying betweene yᵉ share last before entred to yᵉ eastward, and yᵉ lands of Mʳ Thomas Murrell to yᵉ westward cont̃ ꝑ est̃	24	2	00
6	Mʳ Thomas Murrell of Southampton tribe a tenement and two shares of land in yᵉ occupation of Ann and Ruth Bollard (yᵉ eastermost of wᶜʰ was formerly yᵉ lands of Alderman Cotton, the westermost Mʳˢ ffenners), both shares lying together, And abutting at yᵉ south end vppon the South side sea, and at yᵉ north end vppon Devonshire tribe. Lying betweene yᵉ lands of Mʳ Chandler afforesaid to yᵉ eastward, and yᵉ lands of Esquire Hugh Bascoyne to yᵉ westward cont̃	49	0	00
7	Esquire Hugh Bascoyne (formerly the Lord Paggets) fiue shares of land. Namely a tenement and one share of land (beeing the eastermost of			
8	yᵉ fiue) In yᵉ occupation of ffrancis Wellman junioʳ Item two tenements, and two sh : of land (beeing yᵉ next adioyning westerly) whereof yᵉ south share is in yᵉ occupation of John Nash,			
9	And yᵉ north share in the occupation of William Lindy zenioʳ. Item a tenement and 2 sh : of land (beeing yᵉ two westermost of yᵉ 5) In yᵉ			
10	occupation of Mʳ William Greenway. These fiue shares ly together, Abutting at yᵉ south end			

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vppon ye south side sea and at ye north end
vppon ye bottome of Crow lane. And a parcell
of common ground. Lying betweene ye lands of
Mr Tho Murrell to ye eastward, and ye lands of
Mr Alexander Pymm and Mr Charles Pymm
westward cont̃ 122 2 00

Mr Alexander Pymm & Mr Charles Pymm (formerly
ye Lord Paggets) fiue shares of land. Namely
a tenement and one share of land (being ye
11 eastermost of ye fiue) in ye occupaƚ of Henry
Carnaby. Item a tenement & *tenement and* one
share of land (beeing ye next Adjoyning westerly)
12 in the occupation of ffrancis Welman senior.
Item a tenement and one share of land next
adjoyning westerly in the occupation of Stephen
13 Tynes Item two tenements and two shares of
land (beeing ye westermost of ye fiue) the south
14 share in ye occupation of Henry Symmes and ye
north share in ye occupation of George Nash
All ye fiue shares lying together and abutting at
ye south end vppon ye south side sea and at ye
15 north end vppon Crow lane, and some common
ground there: Lying betweene ye lands of Esqr
Hugh Bascoyne to ye eastward and ye lands of
Mrs Trimingham to ye westward cont̃ . . 122 2 00

16 Pagets tribe ye Common land lying in the tenn
shares last before entred, neare ye bottome of
Crow-lane, and ye pond there cont̃ ꝑ estimaƚ 6
acres. wch common land belongeth to twelue
shares in this tribe. Namely to Capt Philip Lea
for 4 shares: ffreeschoole land 1 sh Mr John
Nicholls one share John Wilson 1 share. The
honobl Company 3 sh: Leifƚ Colonell John
Hind 2 shares cont̃ in all 06 0 00

17 Mrs Ann Trimingham of Pagets tribe (formerly Mr
Palmer) her dwelling house and 2 sh of land in
her owne occupation Abutting at ye south end
vppon ye south side sea, and at ye north end
vppon ye north side sea Called Crow lane. Lying
betweene ye lands of Mr Pymm afforesaid to ye
eastward and ye lands of Thomas fforster and
Nicholas How to ye westward cont̃ ꝑ estimaƚ . 49 0 00

18 Mr Thomas fforster of Pagets tribe (formerly Mr
Palmer) A tenement and one share of land in his

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owne occupation Abutting at ye south end vppon ye south side sea, And at ye north end vppon the share of Nicholas How. Lying betweene ye lands of Mrs Trimingham to ye Eastward, and ye lands of Capt Phillip Lea to ye westward conť ꝑ estimať 24 2 00

19 Nicholas How of Pagets tribe (formerly Mr Palmer) A tenement and one share of land in his owne occupation Abutting at ye south end vppon ye share of Tho fforster, afforesaid and at ye north end vppon ye north side sea. Lying betweene ye lands of Mrs Trimingham to ye eastward, and partly ye common land and partly Capt Philip Lea; and partly ye ffreeschoole land to ye westward conť ꝑ estimať. 24 2 00

Capt Philip Lea of Paggets tribe (formerly Mr Tho: Church) foure shares of land namely a tenement on ye south side and ꝑ estimať one share of land in the tenure and occupation of
20 William Wilkinson. Item ye Mansion or dwelling house in his owne occupation. Item a tenement and ꝑ estimať 3 shares of land in the occupať of John Perrincheife, All the foure shares lying together (with a parcell of Common
21 land within them) Abutting at ye south end vppon ye south side sea, and at ye north end vppon a share of ffree-schoole land. Lying betweene ye lands of Thomas fforster and Nicholas How afforesaid to ye Eastward, and ye lands of Mr John Nichols to ye westward conť 98 0 00

22 Pagets tribe A parcell of Common ground conť 7 acres (with ye Church and Church yard therein) Lying within ye foresaid 4 shares of Capt Lea, and on ye East side thereof with 7 acres of Common land belonging to 14 shares in this tribe. Namely to Leiť Collonell John Hinde 2 sh: Late Mr Hollands 2 sh formerly Sr Richard Grobham 2 shares Mr Henry Moore 4 sh Mr Meverill 2 sh Mr Henry ffoord 1 sh Mr John Dorrell 1 share in all conť 07 0 0

23 ffreeschoole land giuen to ye ffreeschoole by Mr Patrick Copeland sometimes Minister of the Word in this tribe (formerly Mr Thomas Church) two tenements and one share of land, in the

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occupation of Philip Dunscombe and ffrancis Islake, abutting at ye south end vppon the lands of Capt Philip Lea and at ye north end vppon ye north side sea called Crow-lane lying betweene ye lands of Nicholas How afforesaid to ye eastward, and ye lands of Mr John Nichols to ye westward conť	24	2	00
24 Mr John Nicholls of Pagets tribe shreiffe (formerly Mr George Smith) A tenement and one share of Land in his owne occupation. Abutting at ye south end vppon the South side sea and at ye north end vppon Crow lane. Lying betweene ye lands of Capt Philip Lea, and ye ffree-schoole land to ye eastward and ye lands of John Wilson to ye westward conť	24	2	00
25 Mr John Wilson of Pagets tribe (formerly Mr Wheatley) a tenement and one share of land in his owne occupation, and a tenement in ye occupation of his sonne John Stoaks. Abutting at ye south end vppon ye south side sea and at ye north end vppon Crow-lane. Lying betweene ye lands of Mr John Nichols to ye Eastward and the lands of ye Honobl Company to ye westward conť ꝑ estimať	24	2	00
26 The Honoble Company (formerly Mr Tho: Wheatley) A tenement and one share of land in ye occupation of Richard Lea. Abutting at ye south end vppon ye south side sea, and at ye north end vppon Crow lane Lying betweene ye Lands of John Wilson afforesaid to ye Eastwards, and other lands of ye Honobl Company to ye westward conť	24	2	00
27 The Honoble Company (formerly Mr Tho: Wheatley.) A Tenement and two shares of land in ye occupation of Mr Thomas Brereton. Abutting at ye south end vppon ye south side sea called Elbow bay, and at ye north end vppon Crow lane Lying betweene ye lands of the honoble Company to ye Eastwards and ye lands of Collonell John Hinde to ye westwards conť ꝑ estimať . .	49	0	00

28 Leiftennant Collonell John Hinde (formerly Mr Barron) the dwelling house and 4 shares of land in the tenure and occupation of Capt John Wentworth and his assigne namely ye house

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and three shares in his owne occupation and
Another tenement and one share in yᵉ occupation of his assigne Ralph Harris, The foure
shares lying together and abutting at yᵉ south
end vppon yᵉ south side sea called Elbow bay;
And at yᵉ north end vppon Crow lane. Lying
betweene yᵉ lands of yᵉ honoble Company to yᵉ
eastward, and yᵉ lands late Mʳ Hollands to yᵉ
wesᵗ. 98 0 00

29 Late Mʳ Holland (formerly Mʳ Wells 1 share & Mʳ
Woodale another more westerly) two tenements
and two shares of land in yᵉ occupation of Capᵗ
30 George Bascombe, and his tennant John Smith,
Both lying together, and abutting at yᵉ south
end vppon yᵉ south side sea called Elbow bay
And at yᵉ north end vppon Crow lane. Lying
betweene yᵉ lands of Collonell John Hinde to yᵉ
Eastward, and yᵉ land formerly Sʳ Richard
Grobham to yᵉ westward conᵗ 49 0 00

31 . . . . . . (formerly Sʳ Richard Grobham)
two sh: of land, namely a tenement and one
share of land on yᵉ south side in yᵉ occupation
of John Caston; Item another tenement and
one share on yᵉ north side in yᵉ occupation of
William Nash and a tenement in yᵉ occupaᵗ of
John Bethell. In all two shares lying together
Abutting at yᵉ south end vppon yᵉ south side sea
called Elbow bay, And at yᵉ north end vppon yᵉ
bay in Crow-lane called yᵉ Salt-Kettles lying
betweene yᵉ lands last before entred to yᵉ Eastward, and yᵉ lands of Mʳ Henry Moore to yᵉ
westward conᵗ. 49 0 00

32 Mʳ Henry Moore of Pembrooke Tribe (formerly
Capᵗ George Etheridge) foure shares in the
occupation of severall tennants, Namely
Mʳ Mathew Priddon a share and an halfe
on yᵉ South side, Item Henry Atwood one
share; Item John Wrath halfe a share, Item
Thomas Demmicom one share, Item Morris
Hopkins a tenement. In all foure shares lying
together; Abutting at yᵉ south end vppon yᵉ
south side sea, and at yᵉ north end vppon Long
point and bayes in Crow-lane called yᵉ salt
kettles. Lying betweene yᵉ lands last before

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	entred to y^e eastward, and y^e lands next following to y^e westward cont	98	0	00
33	M^r Lawrence Vnderwood of Paggets tribe (formerly as was thought, S^r William Cope) his dwelling house & two shares of land in his owne occupa, with a tenement on y^e south side in y^e occupation of Thomas Jones In all 2 shares Abutting at y^e south end vppon y^e south side sea and at y^e north end vppon Crow-lane Lying betweene y^e Lands of M^r Henry Moore to y^e Eastward, and y^e lands of M^r Henry ffoord to y^e westward cont	49	0	00
34	M^r Henry ffoord of Pembrooke tribe (formerly S^r William Wade) a tenement and one share of land in the occupation of Thomas Griffin. Abutting at y^e south end vppon y^e south side sea, and at y^e north end vppon Crow-lane. Lying betweene y^e lands of Lawrence Vnderwood afforesaid to y^e eastwards And y^e lands of M^r John Dorrell to y^e westward cont	24	2	00
35	M^r John Dorrell (formerly M^r Creswell) A tenement & one share of land in y^e occupation of John Hutchins Abutting at y^e south end vppon y^e south side sea, and at y^e north end vppon y^e north side sea at Crow-lane lying betweene y^e lands of Henry ffoord to y^e Eastward and Warwick tribe to y^e westward cont	24	2	00

And thus this Tribe called Pagets tribe containeth fifty shares, and every share with y^e Common ground thereto belonging twenty and fiue Acres. The whole tribe as others contayning 1250 acres.

WARWICK TRIBE.

Begining on the East side next adjoyning to Pagets tribe, & on y^e south part of that east side.

1 M^r Hugh Wentworth of Warwick tribe (formerly M^r William Webster and afterwards Cap^t Tuckers) one share of land in his owne occupation Abutting at y^e south end vppon y^e south side sea and at y^e north end vppon y^e partition line y^t parteth y^e south side shares in this tribe from y^e north

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	side shares. Lying betweene Paggets tribe to ye Eastward and a share of George Jones to ye westward cont̄	24	2	00
2	George Jones of Warwick Tribe (formerly Mr Nicholas Exton) A tenement and one share of land in his owne occupation; Abutting at ye south end vppon ye south side sea, and at ye north end vppon the Pertition line. Lying betweene ye share afforesaid of Hugh Wentworth to ye eastwards, and ye lands of Mr Perient Trott to ye westward cont̄ ꝑ estimat̄	24	2	00
3 4	Mr Perient Trott (formerly Mr Nicholas Exton, and late ye Earle of Warwicks) A tenement and two shares of land in ye occupation of Capt Christopher Lea. Abutting at ye south end vppon ye south side sea, and at ye north end vppon the pertition line. Lying betweene ye lands of George Jones to ye eastward, And the lands of Mr John Waynewright to ye westward cont̄ ꝑ estimat̄	49	0	00
5 6	Mr John Waynewright of Warwick tribe (formerly Mr Nicholas Exton) two shares of land in his owne occupat̄ Abutting at ye south end vppon ye south side sea and at ye north end vppon the pertition line. Lying betweene ye lands of Mr Perient Trott to ye Eastwards, and a share of ye said Mr Waynewright to ye westwards cont̄ .	49	0	00
7	Mr John Waynwright of Warwick Tribe (formerly Mr Stephen Sparrow) his dwelling house & one share of land in his owne occupation. Abutting at ye south side sea. And at ye north end vppon ye pertition line Lying betweene ye foresaid lands of Mr Waynewright to ye eastwards; And ye lands of Mr Jeremy Ewers to ye westwards cont̄ ꝑ estimat̄	24	2	00
8	Mr Jeremy Ewers of Warwick tribe (formerly Mr John Kettleby, and afterwards Mr Meverill) one share of land in his owne occupation. Abutting at ye south end vppon ye south side sea and at ye north end vppon ye Pertition line lying betweene ye lands of Mr John Waynewright to ye Eastwards, and ye lands of Mr Bullock and Lazarus Thrift to ye westward cont̄	24	2	00
9	Mr William Bullock of Warwick Tribe and Lazarus			

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10	Thrift (formerly Mr Samuell Tickner) two shares of land namely a tenement and one share in the tenure and occupation of ye said Mr Bullock, being ye south part of ye foresaid two shares. And a tenement and one share in ye occupation and tenure of ye said Lazarus Thrift, beeing the north part of ye foresaid two shares. Both shares lying together, And abutting at ye south end vppon ye south side sea and at ye north end vppon ye pertition line. Lying betweene ye lands of Mr Ewers to ye Eastwards, and ye lands in the tenure of Mr John Rawlins to ye Westward conť ꝑ esť	49	0	00
11	Mrs Sarah Smith or Leifť John Rawlins of Warwick tribe (formerly Mr Thomas Wale and afterwards Mr George Smith) A tenement and one share of land in ye occupation of ye said Leifť John Rawlins. Abutting at ye south end vppon ye south side sea, and at ye north end vppon ye pertition line and a small pond. Lying betweene ye lands of Mr Bullock and Lazarus Thrift to ye eastward and ye lands of Mrs Sarah Smith wid: to ye westward conť	24	2	00
12	Mrs Sarah Smith (formerly Mr Thomas Wale) a tenement and one share of land in ye occupation of James Dorset Abutting at ye south end vppon ye south side sea and at ye north end vppon the pond and pertition line therein. Lying betweene ye lands of Mr Rawlins to ye Eastward, and ye lands of ye said Leifť Rawlins and Nath: Tatum to ye westward conť	24	2	00
13	Mrs Sara Smith (formerly Mr Thomas Wale) one share of land whereof ye south halfe share is in ye occupať of Leifť John Rawlins, and the north halfe share in ye occupation of Nathaniell Tatum. The whole share lying together and abutting at ye south end vppon ye south side sea, and at ye north end vppon the pertition line going through ye middle of ye pond Lying betweene ye lands of Mrs Sara Smith afforesaid to ye Eastward, and ye lands of ye said Mrs Sara Smith to ye westwards conť	24	2	00
14	Mrs Sara Smith (formerly Mr Thomas Wale) A tenement and one share of land in ye occupation			

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of Nathaniell Tatum Abutting at ye south end vppon ye south side sea, and at ye north end vppon ye pertition line. Lying betweene ye lands last before entred to ye Eastward, and ye land of ye said Mrs Sara Smith to ye westward cont̃ 24 2 00

15 Mrs Sara Smith (formerly Mr Thomas Wale) A tenement and one share of land in the occupation of Nathaniell Austin Abutting at ye south end vppon ye south side sea and at ye north end vppon ye pond and pertition line afforesaid. Lying betweene ye lands last before entred to ye Eastward and ye Lands of Mr Perient Trott to ye westward cont̃ 24 2 00

16 Mr Perient Trott (formerly ye Earle of Warwicks)
fiue shares of land Namely a tenement and one
share in the occupation of Nathaniell Tatum,
17 beeing ye eastermost of ye fiue ; Item another
tenement and a share next adjoyning to ye west-
18 ward in the occupation of Mr John Devit, Item
another share next adjoyning to ye westward, the
south halfe whereof is in ye occupation of Mr
John Devit the north halfe whereof is in ye oc-
19 cupation of Capt Charles Whettenhall. Item a
20 tenement & two other sh next adjoyning to ye
westward in ye occupation of ye said Capt Charles Wheatenhall. All these fiue shares ly together, and Abutt at ye south end vppon ye south side sea called Great Turckle bay and at ye north end vppon ye pond and pertition line in ye middest of ye pond Lying betweene ye lands of Mrs Sarah Smith afforesaid to ye Eastward, and ye lands of Mrs ffelgate to ye westward, cont̃ 122 2 00

21 Mrs ffelgate (formerly Mr William ffelgate) a tenement and one share of land in the occupation of William Jobson. Abutting at ye south end vppon ye South side sea called Great Turckle bay and at ye north end vppon ye ponds end and common ground there. Lying betweene ye lands of Mr Perient Trott to ye Eastward, and ye lands of Capt George Tucker to ye westward cont̃ . 24 2 00

22 Capt George Tucker (formerly Capt . . . Watts)
23 a tenement and two shares of land in ye occupa-
tion of Mr Gilbert Hill. Abutting at ye south

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	end partly vppon Turckle-bay afforesaid, and partly vppon ye Common ground there and at ye north end vppon ye parcell of Common ground neare Herne bay. Lying betweene ye lands of Mrs ffelgate to ye eastward, and ye lands of Mr Waterhouse to ye westward cont . . .	49	0	00
24	Mr W. Waterhouse (formerly Mr Richard Maplesden) a tenement and one share of Land in ye occupation of Leift Edward Chaplaine Abutting at ye south end vppon a parcell of Common land at ye west end of Great Turckle bay and at ye north end vppon ye parcell of Common land neare Herne-bay. Lying betweene ye lands of Capt George Tucker to ye Eastward And ye land now or late Daniell Gaud to ye west. . . .	24	2	00
25	Mr Daniell Gaud now or late of Warwick tribe (formerly Mr Richard Maplesden) A tenement and one share of land in ye occupation of Thomas Skroggin. Abutting at ye south end vppon the south side sea, and at ye north end vppon ye parcell of Common land lying as afforesaid at White-herne bay, lying betweene ye lands of Mr Waterhouse and ye Common Land to ye eastward, and ye Lands of John Waynewright junior in Southampton tribe to ye westward cont.	24	2	00
26	Warwick tribe A parcell of common land lying at ye west end of Great Turckle bay betweene ye lands before entred and ye sea cont 6 acres and vndivided but belonging to 12 shares in this tribe cont	06	0	00
27	Item a tenement and parcell of Common land at White-herne bay extending from ye bottoome of ye bay to ye second pond containing fifteene acres vndevided but belonging to 30 sh: in this tribe cont.	15	0	00
28	Item There is further belonging to this tribe, A tenement and a parcell of common land, lying on ye north side of the tribe at little Turckle-bay in ye occupation of Edward Holmes belonging to 8 shares in this tribe cont . . .	04	0	00

These following are ye north side shares of this tribe Begining on ye East-side of the tribe next adjoyning to Pagets tribe

		A.	R.	P.
29	Mr Hugh Wentworth of Warwick tribe (formerly Mr William Webster) his dwelling house and one share of land in his owne occupation. Abutting at ye south end vppon ye pertition line drawne in this tribe betweene ye north side shares and ye south side shares: And at ye north end vppon ye north side sea. Lying between Pagets tribe to ye Eastwards, and a share of schoole land to ye westward cont. .	24	2	00
30	The ffreeschoole (formerly Mr William Webster) one share of land Namely a tenement and halfe a share of land in ye occupat of William Diller beeing ye south halfe. Item a tenement and halfe a share of land in ye occupat of Thomas Hart or his assigne. In all one share, Abutting at ye south end vppon ye pertition line afforesaid and at ye north end vppon ye north side sea lying betweene ye lands of Mr Hugh Wentworth to ye eastward, and ye lands of Mr Perient Trott to ye west.	24	2	00
31 32	Mr Perient Trott (formerly Doctor Anthony Hunton) two shares of land Namely a tenement & one share in ye occupation of John Bently beeing ye eastermost of ye two and another tenement and one share in ye occupation of Wm Greeneway. In All two shares abutting at ye south end vppon ye pertition line and at ye north end vppon ye north side sea Lying betweene ye schoole land to ye eastward and ye lands of Mr Jeremy Ewers to ye westward cont . . .	49	0	00
33	Mr Jeremy Ewers (fformerly Mr Francis Meverill, or Mr Thomas Norincot) a faire dwelling house and one share of land in his owne occupation. Abutting at ye south end vppon ye partition line, and at ye north end vppon ye north side sea called ye great sound. Lying betweene ye lands of Mr Perient Trott to ye eastward, and a share in ye occupation of William Bullock and Mr John Devitt to ye westwards cont . . .	24	2	00
34	Mr Perient Trott (formerly Mr Richard Poulson) one share of land namely ye southermost halfe share in ye occupation of Mr Wm Bullock; And a tenement with ye other halfe share in ye occupation of Mr John Devitt. The whole share lying			

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together, and abutting at ye south end vppon ye
partition line, and at ye north end vppon ye
great sound Lying betweene ye lands of Mr
Jeremy Ewers to ye eastwards and of John
Martin to ye westwards cont̃ 24 2 00

35 John Martin of Warwick tribe (formerly Mr
Mathew Shepheard) a tenement and one share
of land in his owne occupation. Abutting at
ye south end vppon ye partition line, And at ye
north end vppon ye Great Sound. Lying betweene ye share last entred to ye Eastwards, and
ye lands of Capt George Tucker to ye westward
cont̃ 24 2 00

36 Capt̃ George Tucker of the Overpl: betweene
Southampt̃ & Sandys tribe (formerly Sr Robert
Mansell) eight shares of land. Namely a dwelling house and two shares of land in ye occupation of Lieft̃ James Witter, beeing ye two eastermost of ye eight shares. Item a tenement and
one share of land next adioyning to ye westward
37 in the occupation of Martin Welman Item
another share next adjoyning to ye westward,
whereof ye tenement and southermost halfe is
38 in ye occupation of Nathaniell Veazy ye other
39 halfe share in ye occupation of Martin Wellman.
Item a tenement and one share of land next
adjoyning to ye westward in the occupation of
40 Thomas Moore, At ye south end whereof is ye
Church. Item another share of land next adjoyn-
41 ing to ye westward in ye occupation of Nathaniell
Veazy. Item another share of land next adjoyn-
42 ing to ye westward in ye occupation Mr John
Devit. Item a tenement and another share of land
next adjoyning to ye westward, In ye occupation
43 of John Nelme All these eight shares ly together.
Abutting at ye south end vppon ye partition line,
And ye middle of ye ponds; and at ye north end
vppon ye great sound, & ye common ground at
little Turcle bay. And ly betweene ye lands of
John Martin to ye eastwards and Mr John Dorrell to ye westward cont̃ ꝑ estimat̃ . . . 196 0 00

44 Mr John Dorrell of Warwick of Tribe (formerly
Sr Robert Mansell) ye Mansion house and two
shares of land in his owne occupation. Abut-

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45	ting at y^e south end vppon y^e partition line and middle of y^e ponds, And at y^e north end vppon y^e great sound. And Lying betweene y^e lands in y^e occupation of John Nelme afforesaid to y^e Eastward. And y^e other lands of M^r John Dorrell to y^e westward cont̃	49	0	00
46	M^r John Dorrell of Warwick tribe (formerly M^r Christopher Clitheroe) one share of land in his own occupation, abutting at y^e south end vppon the Com̄on ground at herne-bay, and at y^e north end vppon y^e great sound. Lying betweene y^e lands of y^e said M^r John Dorrell to y^e eastwards, and y^e lands of William Basden, to y^e westwards cont̃	24	2	00
47 48	M^r William Basden of Warwick tribe (formerly M^r George Swinhow) a tenement and two shares of land in his owne occupation. Abutting at y^e south end vppon y^e Common ground at White-herne bay, and at y^e north end vppon y^e great sound. Lying betweene y^e lands of M^r Dorrell to y^e eastwards, And y^e lands of M^r Thomas Allin to y^e westwards cont̃	49	0	00
49	M^r Thomas Allin (formerly M^r Richard Tomlins) A tenement and one share of land in y^e occupation of Charles Michaell and William Basden, abutting at y^e south end vppon y^e Common ground at y^e bottoome of White-herne bay, and at y^e north end vppon y^e great sound. Lying betweene y^e lands of William Basden afforesaid to y^e Eastwards and y^e lands in y^e occupation of Cap^t William Nelme to y^e westward cont̃ .	24	2	00
50 51 52	M^r . . . . Meverill a tenement and three shares of land, late M^r Hollands in y^e occupation of Cap^t W^m Nelme (whereof y^e first to y^e eastwards was formerly y^e lands of M^r John Kerrell, y^e other two S^r John Walter) All three lying together, And abutting at y^e south end vppon Whiteherne bay, And at y^e north end vppon y^e great sound neare Burgis point. Lying between y^e lands of M^r Thomas Allin to y^e eastward and a share of John Leybourne to y^e westward cont̃ . .	73	2	00
53	John Leybourne of Warwick Tribe (formerly M^r Martin Bond) A tenement and one share of land in his owne occupation, beeing y^e point share.			

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	Abutting at yᵉ south end vppon White-herne bay, and at yᵉ north end vppon Burgis Point, in the great sound. Lying betweene yᵉ lands of Mʳ Meverill afforesaid to yᵉ Eastwards and yᵉ great sound to yᵉ westward cont . . .	24	2	00

And thus this Tribe called Warwick tribe containeth fifty shares; and every share with yᵉ Common ground thereto belonging twenty fiue Acres. The whole tribe (as others) contayning 1250 Acres.

SOUTHAMTON TRIBE.

Beging on yᵉ East side, next adjoyning to Warwick tribe.

		A.	R.	P.
1 2	Mʳ John Dorrell of Warwick tribe; A tenement & two shares of land in yᵉ occupation of John Waynewright junioʳ (the first of wᶜʰ to yᵉ eastward was formerly yᵉ land of Sʳ Richard Smith yᵉ other of Sʳ John Howard) both shares lying together, And abutting at yᵉ south end vppon yᵉ south side sea, and at yᵉ north end vppon White-herne bay. Lying betweene Warwick tribe to yᵉ Eastwards and yᵉ lands of Leift Anthony White to yᵉ westward cont . . .	49	0	00
3	Leift Anthony White of Smiths tribe (formerly Sʳ Tho: Smith) one share of land, namely a tenement and halfe a share in yᵉ occupation of Tho Richards, And another halfe share in yᵉ occupation of Thomas Kersey yᵉ whole share lying together And Abutting at yᵉ south end vppon yᵉ south side sea, and at yᵉ north end vppon White-herne bay. Lying betweene yᵉ lands of Mʳ John Dorrell to yᵉ eastwards and yᵉ lands of William Barnes to yᵉ westward cont	24	2	00
4	William Barnes of Southampton Tribe (formerly Sʳ Thomas Smith), A tenement and one share of land in his owne occupation. Abutting at yᵉ south end vppon yᵉ south side sea, And at yᵉ north end vppon White-herne bay. Lying betweene yᵉ lands of Lieft Anthony White to yᵉ Eastward end yᵉ lands of Tho: Kersey to yᵉ westward cont	24	2	00
5	Thomas Kersey of Southampton tribe (formerly Mʳ John Breton) A tenement and one share of			

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	land in his owne occupation. Abutting at y^{e} south end vppon y^{e} south side sea, and at y^{e} north end vppon White-herne bay lying betweene y^{e} lands of William Barnes afforesaid to y^{e} Eastward and y^{e} lands of M^{r} William Charon to y^{e} westward contꝰ	24	2	00
6	M^{r} William Charon of Southampton tribe (formerly M^{r} Abraham Dawes, and afterwards M^{r} Richard Chamberlaine) A tenement and one share of land in his owne occupation, Abutting at y^{e} south end vppon y^{e} south side sea, and at y^{e} north end vppon White-herne bay. Lying betweene y^{e} lands of Thomas Kersey to y^{e} eastwards and y^{e} lands of Tho: Cooper to y^{e} westꝰ contꝰ	24	2	00
7	Tho Cooper of Pagetts tribe (formerly M^{r} Abraham Dawes, and then M^{r} Richard Chamberlaine) A tenement and one share of land in the occupation of Daniell Gaud or his wife Abutting at y^{e} south end vppon a Sandy bay on y^{e} south side, and at y^{e} north end vppon White-herne-bay. Lying betweene the lands in the occupaꝰ of M^{r} Charon to the eastward, and y^{e} lands of M^{r} Browning to y^{e} westwards contꝰ . . .	24	2	00
8	M^{r} Browning (formerly M^{r} Abraham Dawes, and then M^{r} Richard Chamberlaine) A tenement & one share of land in the occupation of William Keele Abutting at y^{e} south end vppon a Sandy bay on y^{e} south side, and at y^{e} north end vppon White-herne-bay Lying betweene y^{e} lands of Thomas Cooper to y^{e} Eastward And y^{e} lands of M^{r} Stephen Bryan to y^{e} westward contꝰ . .	24	2	00
9	M^{r} Stephen Bryan (formerly Leonard Harwood) A tenement And one share of land in his owne occupation Abutting at y^{e} south end vppon a Sandy bay, and at y^{e} north end vppon White-herne bay. Lying between y^{e} lands of M^{r} Browning afforesaid to y^{e} eastward, and y^{e} lands of Cap^{t} Sayle for M^{r} Waller to y^{e} westwards contꝰ.	24	2	00
10	Cap^{t} William Sayle, or in his tenure for y^{e} vse of M^{r} Waller (formerly M^{r} John Bankes) A tenement and one share of land in y^{e} occupation of John Weathersby. Abutting at y^{e} south end			

		A.	R.	P.
	vppon yᵉ foresaid Sandy-bay, and at yᵉ north end vppon White-herne bay and a point of land there called . . . . yᵉ said point beeing parcell of this share. Lying betweene yᵉ lands of Mʳ Bryan to yᵉ eastward, and yᵉ lands of Mʳ John Todd to yᵉ westward cont̄ . .	24	2	00
11	Mʳ John Todd of Southampton Tribe (formerly part of yᵉ twelue sh: of Sʳ Nathaniell Rich) A tenement and two shares of land in his owne occupation Abutting at yᵉ south end partly on yᵉ south side sea and partly vppon a parcell of common land there; And at yᵉ north end vppon a bay called . . . . Lying betweene yᵉ lands last before entred of Capᵗ Wᵐ Sayle to yᵉ eastwards, and yᵉ ffree-schoole land to yᵉ westwards cont̄	49	0	00
12 13	ffree-schoole land (formerly part of yᵉ twelue shares of Sʳ Nathaniell Rich, And by him bequeathed by his last will and testament to yᵉ ffree-schoole) two shares of land Namely a tenement and one share of land in yᵉ occupation of Thomas Kemble on yᵉ south side. And another tenement and a share of land in yᵉ occupation of John Styles on yᵉ north side Both shares lying together And abutting at yᵉ south end vppon yᵉ south side sea, and at yᵉ north end vppon yᵉ great sound. Lying betweene yᵉ lands afforesaid of Mʳ Todd to yᵉ eastwards, and two other shares of ffreeschoole land to yᵉ westward cont̄ ꝑ estimat̄	49	0	00
14 15	ffree-schoole lands two other shares (beeing also formerly yᵉ lands of Sʳ Nathaniell Rich, and by him bequeathed by his last will and testament to yᵉ ffree-schoole) namely a tenement and one share of land in yᵉ occupation of Mʳˢ Elizabeth Durham on yᵉ south side. And another tenement and a share of land in yᵉ occupation of Henry Durham on yᵉ north side. The two shares ly together, and abutt at yᵉ south end vppon yᵉ south side sea, and at yᵉ north end vppon yᵉ Great sound. Lying betweene yᵉ ffreeschoole land afforesaid to yᵉ eastward, And yᵉ lands of Mʳ Richard Hunt and Robert Trevis to yᵉ westward cont̄	49	0	00

		A.	R.	P.
16	Leift Thomas Hilton of Davids Island (formerly part of the twelue shares of S^r Nathaniell Rich) A tenement and one share of land in y^e occupation of Robert Trevers. Abutting at y^e south end vppon y^e lands of M^r Richard Hunt and at y^e north end vppon the great sound; Lying betweene y^e schoole land to y^e eastwards, and y^e lands of M^r Richard Hunt to y^e westwards cont	24	2	00
17	M^r Richard Hunt of Southampton tribe (formerly part of y^e twelue shares bequeathed by S^r Nathaniell Rich) his Mansion house and foure shares of land. Abutting at y^e south end vppon y^e south side sea and . . . crosse bay there, and at y^e north end vppon y^e great sound, and y^e bay there called Jewes bay: And partly also vppon y^e lands of Leift Thomas Hilton; Lying betweene y^e ffree-schoole lands and y^e share of Leift Thomas Hilton afforesaid to y^e eastward, and y^e share in y^e occupation of Marmaduke Dando to y^e westward cont ꝑ estimat .	98	0	00
18	M^r Richard Hunt of Southampton Tribe (formerly part of the twelue shares bequeathed by S^r Nathaniell Rich) A tenement and one share of land in y^e occupation of Marmaduke Dando. Abutting at y^e south end vppon y^e south side sea; And y^e north end vppon y^e great sound. Lying betweene y^e lands of M^r Richard Hunt afforesaid to y^e eastwards, and y^e lands of M^r Perient Trott to y^e westward cont ꝑ estimat .	24	2	00
19 20 21	M^r Perient Trott (formerly the Right hono^{ble} Robert Earle of Warwick) three shares of land; Namely a tenement and two shares in y^e occupation of Thomas Wells senio^r, beeing y^e east part of the three shares. Item a tenement and halfe a share of land in y^e occupation of John Wells (wherein also is y^e Church and Church yard), Item a tenement and halfe a share of land on y^e north side, in the occupation of Philip Warden. The three shares ly all together, Abutting at y^e south end vppon y^e south side sea, and at the north end vppon y^e great sound. Lying betweene y^e lands of M^r Richard Hunt afforesaid to y^e Eastward and y^e			

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	lands in the occupation of Diamond Knowles to the westward cont̃	73	2	00
22	Capt Richard Jennynes (formerly Mr Richard Morer) A tenement and three shares of land in the occupation of Diamond Knowles. Abutting at ye south end vppon ye south side sea, and at ye north end vppon ye Great Sound. Lying betweene ye lands of Mr Perient Trott to ye eastward and a share in ye occupation of Bartholmew Payne to ye westward cont̃ . . .	73	2	00
23	Capt Thomas Richards (formerly Mr Richard Moorer) A tenement and one share of the land in the occupation of Bartholmew Payne. Abutting at ye south end vppon ye south side sea, And at ye north end vppon ye great sound Lying betweene ye lands in ye occupation of Diamond Knowles to ye Eastward and ye lands of Robert Dickenson to ye westward cont̃ ꝑ estimat̃. .	24	2	00
24	Mr Robert Dickenson of Southampton tribe (formerly Mr Richard Moorer), his Mansion house & two shares of land in his owne occupation Abutting at ye south end vppon ye south side sea and at ye north end vppon ye Great Sound. Lying betweene ye lands in ye occupation of Bartholmew Payne afforesaid to ye eastwards, and ye lands of Capt Thomas Turnor to ye westwards cont̃	49	0	00
25	Capt Thomas Turnor of Sandys tribe (formerly Mr George Scott) one share of land in ye occupation of Robert Burch, Abutting at ye south end vppon ye south side sea, and at ye north end vppon ye great sound. Lying betweene ye lands of Robert Dickenson afforesaid to ye eastwards; And ye lands of Ann Morgan to ye westwards cont̃.	24	2	00
26	Mrs Ann Morgan of Southampton tribe (formerly Mr George Scott) A tenement and one share of land in her owne occupation. Abutting at ye south end vppon ye south side sea, and at ye north end vppon ye great sound. Lying betweene ye lands of Capt Thomas Turnor to ye eastward, and ye lands of Mr Thomas Murrell to ye westward cont̃ ꝑ estimat̃.	24	2	00

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	A.	R.	P.
27 Mʳ Thomas Murrell of Southampton tribe formerly Mʳ George Scott a tenement and two shares of land in his owne occupation. Abutting at yᵉ south end vppon yᵉ south side sea and at yᵉ north-east end vppon yᵉ great sound. Lying betweene yᵉ lands of Ann Morgan afforesaid to yᵉ eastwards and yᵉ lands of Mʳ William Webb to yᵉ south west cont̃ ꝑ estimat̃ . . .	49	0	00
28 Mʳ William Webb (formerly Mʳ George Scott) a tenement and two shares of land in yᵉ occupation of Mʳ Edw: Sherelock. Abutting at yᵉ Southwest end vppon yᵉ south west sea and at yᵉ north-east end vppon yᵉ great sound. Lying betweene yᵉ lands of Mʳ Thomas Murrell afforesaid to yᵉ Southeastwards, and yᵉ lands of Capᵗ Thomas Richards to yᵉ northwestwards cont̃ ꝑ estimat̃	49	0	00
29 Capᵗ Thomas Richards of Southampton tribe (formerly yᵉ right honoᵇˡᵉ yᵉ Earle of Southampton) severall tenements and foure shares of land in yᵉ occupation of severall men; Namely in yᵉ occupation of Joseph Evans, Nicholas Inglesby, Jarvis Inglesby and Edmund Evans, All yᵉ foure shares ly together and Abutt to ye westward vppon yᵉ westerne sea and at yᵉ east end vppon yᵉ great sound. Lying betweene yᵉ lands of Mʳ William Webb afforesaid to yᵉ southward and yᵉ lands of yᵉ said Capᵗ Richards to yᵉ northwards cont̃ ꝑ est̃	98	0	00
30 Capᵗ Thomas Richards of Southampton tribe (formerly yᵉ Earle of Southampton) his Mansion house and two shares of land in his owne occupation Abutting at yᵉ west end vppon yᵉ westerne sea, and at yᵉ east end vppon yᵉ Great sound. Lying betweene his lands last before entred to yᵉ southwards, and yᵉ land late Mʳ Painters to yᵉ northwards cont̃. . . .	49	0	00
31 Mʳ Stephen Painter of Southampton tribe his heires or assignes (formerly Mʳ Henry Timberley) The Mansion house and two shares of land in yᵉ occupat̃ of Capᵗ fflorentio Seymoʳ and Capᵗ Thomas Richards Abutting at yᵉ west end vppon yᵉ westerne sea, and at yᵉ east end vppon yᵉ Great sound. Lying betweene yᵉ lands of			

		A.	R.	P.
	Capt Thomas Richards to ye southwards & Mrs Jane Leacroft to ye northwards cont̃ ꝑ estimat̃.	49	0	00
32	Mrs Jane Leacroft al̃s Mrs Kestoven of Southampton Tribe her mansion house and two other tenements the one in ye occupation of her sonn Richard Leacroft. The other in ye occupation of her sonn Thomas Leacroft Item Three shares of land in her owne occupation and her said sonns (whereof the two southermost were formerly ye lands of Sr Thomas Hewet, the other of Mr Peirce) All three Lying together and Abutting at ye west end vponn the westerne sea and at ye east end vppon ye Great Sound. Lying betweene ye lands late Mr Painters afforesaid to ye southwards, and the lands of Esqr Richard Winwood to ye northwards cont̃	73	2	00
33	Esqur Richard Winwood (formerly Sr Ralph Winwood) A tenement and two shares of land whereof ye westermost is in the occupation of Mrs Jane Leacroft The eastermost in ye occupation of Sarah Hariot wid: Both shares ly together And Abutt at ye west end vppon ye westerne sea, & at ye east end vppon ye Great Sound. Lying betweene ye lands of Mrs Jane Leacroft afforesaid to ye southwards, and ye lands of Capt George Tucker and ye Gleabe land to ye northwards cont̃	49	0	00
34	Southampton tribe a tenement & a parcell of Common land vndevided Lying on ye south side of this Tribe and at ye east Corner of ye twelue shares yt were formerly Sr Nathaniell Rich. Namely at ye Southeast corner of ye two shares now John Todds. Which parcell of Common land contayneth 7 acres and belongeth to 14 shares in this tribe, begining from ye east side next to Warwick Tribe cont̃	7	0	00
35	Item Another parcell of Common ground undevided with a tenement there in the occupation of Ancient Nicholas Inglesbey Lying within ye foure shares of Capt Thomas Richards afforesaid by ye pond there cont̃ 12 acres and belonging to 24 shares in this tribe, begining from ye north side of ye tribe next to ye Overplus cont̃	12	0	00
36	The other six Acres of Common Land for this tribe,			

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I finde not Certainly where theie ly, but by relation of y^e most Ancient Inhabitants in this Tribe they were formerly laid out on y^e south side, within y^e twelue shares y^t were formerly S^r Nathaniel Riches as is affore mentioned, and were Allotted to those 12 shares. Namely every share halfe an acre	06	0	00

And thus this tribe called Southampton Tribe contayneth fifty shares, and every sh: with y^e Common ground thereto belonging 25 acres And so y^e whole tribe contayneth 1250 acres As it was at first laid out.

OVERPLUS

Lying betweene Southampton tribe & Sandys tribe.

The occasion of this Overplus was this. When I had order from the hono^{ble} Company to subdivide y^e Country which was About y^e yeare of o^r Lord 1616, I knew not exactly y^e Quantity of y^e whole, but perceiued there would not bee land sufficient to lay out for every share 26 acres. And I was much pressed to subdivide as much as might bee before o^r Magazin Shipp then here in harbo^r went for England, that so the Companie might bee certaine y^t y^e worke was begunn, and like to bee finished as they much desired. Therefore I went presently in hand with it and laid out 25 acres to a share, choosing rather to leave an Overplus then to want any thing.

The Cause why this Overplus was left in this place namely betweene Southampton tribe and Sandys tribe was this. Hauing subdevided the first foure tribes, y^t is to say, Hamilton, Smiths, Devonshire, and Pembrooke tribe, the season of y^e yeare was come for setting of Corne And the whole Country was then Greivously afflicted with ratts; Wherevppon y^e Governo^r Cap^t Daniell Tucker and his Counsell beeing assembled did determine and Order that all y^e Country for y^t yeare should sett y^e Corne in Sommerset Island, that so they might y^e better preserue it from y^e

Ratts, wch formerly had devoured almost all. Now if they should haue cleared ground there before ye shares were laid out, they would haue Cutt away ye fences wch should be left betweene one mans ground and another not knowing where they would fall; therefore they ordered that hauing finished Pembrooke tribe, I should next goe in hand with Sommersett. I shewed ye Inconveniences of it but beeing expressly so Ordered by ye Governor & Counsell, I did forthwith subdevide Sommerset Island and yt beeing finished returned to my former Course; namely to Pagets tribe then Warwick tribe, and last of all to Southampton Tribe. And by this meanes ye Overplus fell out, betwixt Southampton Tribe and Sandys tribe This I thought Good to Expresse because some haue thought it was laid here for other ends and Causes.[1]

Begining on ye south side, next adjoining to Southapton tribe

This Overplus after my departure for England was disposed by the honobl Company into 7 parts, as I was informed, and accordingly by Mr John Perrincheife in manner following laid out

		A.	R.	P.
1	Capt George Tucker ye Mansion house and three ꝑts in ye occupation of himselfe and his assignes. Abutting at ye west end vppon ye westerne sea, and at ye east end vppon ye Common way leading from Southampton tribe to Sandys Narrow. Lying betweene ye lands of Esqr Winwood afforesaid to ye southward and ye lands of Mr John Cuffe to ye northward cont ꝑ estimat .	78	0	00

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[1] There is much appearance of truth in this statement, but Captain John Smith or whoever else is the Author of the MS. History of Bermuda, in the British Museum, gives a less favourable version. According to this Author, Captain Daniel Tucker having a promise of three shares of land from the Company, prevailed on Norwood to let him know 'where the principall and choice peeces of Soyle was to be found, that so he might vse his friends in England, for the obteyning of the shares of reward out of that part.' Norwood 'finding a fatte and lustye soyle, wth a most delicate enlarged valley,' at the Westernmost part of what is now Southampton Tribe, there stayed his progress, and acquainted the Governor with his discovery, Who, by directing him to resume his survey from the other extremity of the Island, and work back, easily secured that 'what overplus soeuer should be left (as some ther would be) it could not but fall wth in the contents of this Excellent Valley' (MS. p. 94). The story appears to the Editor to be a calumny.

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	A.	R.	P.
2 Gleabe The Parsonage house and two parts of y^{e} Overplus land in y^{e} occupation of M^{r} Nathaniell White Minister and his assigne M^{rs} Dorathy Malary with a tenement in her occupation. Abutting at y^{e} west end vppon y^{e} Common high way afforesaid, and at y^{e} east end vppon y^{e} great sound next Georges Bay. Lying betweene y^{e} lands of Esq^{r} Winwood to y^{e} southward, and y^{e} lands late Collonell Sandys to y^{e} northwards cont̃ ꝑ estimat̃	58	0	00

These five ꝑts of y^{e} overplus before entred are (as it is said) Annexed to Southampton Tribe.

	A.	R.	P.
3 M^{rs} Hesther Sandys, late Collonell Richard Sandys, A tenement and two ꝑts of y^{e} Overplus land in the occupation of Thomas Cooper. Abutting at y^{e} west end vppon y^{e} Common way afforesaid, and at y^{e} east end vppon S^{t} Georges bay & S^{t} Georges point. Lying betweene y^{e} Gleabe land afforesaid to y^{e} southwards, and y^{e} lands of Cap^{t} Josias fforster to y^{e} northwards cont̃ ꝑ estimat̃ .	51	0	00

These two parts of y^{e} Overplus last entred are (as it is said) Annexed to Sandys tribe.

Thus the whole Overplus rekoned in seaven parts containeth ꝑ estimat̃ 207 Acres.

Whereas there is much difference and inequality in y^{e} parts here laid out by M^{r} Perrincheife, there is y^{e} like & sometimes much more in Dividing shares in other parts of y^{e} Country, the reason whereof I suppose to bee, because hee had little knowledge in Surveying, hauing never surveyed any land before. But after my departure for England hee was y^{t} wayes imployed. These differences or Erro^{rs} I haue not else where noted (having order to y^{e} contrary) least they might occasion some controversies.

SOMMERSET ISLAND IN SANDYS TRIBE.

In this tribe every share lyes in three severall parcells & places, so yt for every share there is in Sommerset 14ac 00rs 08ps. At Hogg bay 7 acres 2ro: 32po: At Ireland and other Islands 3 acr 1 ro Which makes 25 acres for every share.

The Island called Sommerset I layd out and subdivided about 47 yeares past before I went for England, the other parts of this Tribe were laid out some years after by Mr Perrincheife, and about that time as I was informed they made a composition for purchasing two shares for Gleab-land in Pembrooke tribe, and for some other considerations; they were allowed to Sommersett already subdevided, ye foresaid part or neck of ye Mayne called Hogg-bay, and two of ye seaventh parts of the Overplus: with ye Island called Ireland, and all ye other Islands about Sommerset, Hogg bay & Ireland little & great In such sort as followeth.

Begining with Sommerset Island, and with the South Corner thereof.

		A.	R.	P.
1	Mr Christopher Burrowes of Sandys tribe (formerly Mr George Barckley.) A dwelling house and fiue Sommerset shares of land ech share cont̃ 14ac: 0rs: 8po Bordering on ye north side vppon ye land late Colonell Sandys, and at ye south Corner vppon Sandys narrow & Sommerset bridge there, And in all other parts environed by ye sea cont̃	70	1	00
2	Mrs Hester Sandys late Colonell Richard Sandys (formerly Sr Edwin Sandys) fiue Sommersett shares of land beeing ye next to ye northward of ye last before entred and foure tenements in ye occupation of John Low, George Davids Simon Prosser and Mich Rivers cont̃.	70	1	00
3	Mr John Heydon Deputy Governor of the honoble Company (formerly Mr Jerome Heydon) tenn Sommerset shares of land lying together next to the northward of ye land last before entred containing	140	2	00

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		A.	R.	P.
	Namely a tenement and ꝑ estimat̃ fifty acres of land in the occupation of Mʳ Sam̄ : Whitney			
	Item a tenement and ꝑ estimat̃ 14 acres in yᵉ occupation of Daniell Cole			
	Item a tenement and ꝑ estimat̃ 25 acres in yᵉ occupation of Bernard Coleman			
	Item A tenement & ꝑ estimat̃ 25 acres in yᵉ occupation of Tho : Robinson			
	Item a tenement and ꝑ estimat̃ 15 acres in yᵉ occupation of Robert Priestley			
	Item a tenement and ꝑ estimat̃ 14 acres in yᵉ occupation of Edward Goodale			
4	Mʳ James Jaunsey (Mʳ John Cuffe and Mʳ Mellim) A tenement and two sommerset shares of land ; Lying next to yᵉ northward of yᵉ lands last before entred In the occupation of John Burch cont̃	28	0	16
5	Mʳ Perient Trott (formerly Mʳ Richard Chamberlaine) a tenement and two Sommerset shares of land, lying next to yᵉ northward in yᵉ occupation of Edward Burgis	28	0	16
	Vppon these two shares is yᵉ Church			
6	Mʳ Perient Trott (formerly Mʳ Abrah : Chamberlaine) A tenement and one sommerset share of land next yᵉ northward of yᵉ land last before entred ; In yᵉ occupation of Richard Whittaker cont̃	14	0	08
7	Mʳ Samuell Smith (formerly Mʳ George Smith) A tenement & two Sommerset shares of land lying to yᵉ northward of yᵉ land last before entred in the occupation of John Halsted cont̃.	28	0	0
8	Mʳ Edward Hinson al̃s Hinsman of Sandys Tribe (formerly Mʳ Robert Gore) two tenements & three Sommerset shares of land, lying next to yᵉ northward of yᵗ last before entred ; In yᵉ occupation of Jonathan Burch and Thomas Greeneleafe cont̃	42	0	24
9	Edward Evans of Sandys Tribe (formerly Sʳ John Davers) A tenement and two Sommerset shares of land lying next to yᵉ northward of yᵉ west end of yᵉ last before entred. In yᵉ occupation of yᵉ said Edward Evans cont̃ . . .	28	0	16
10	Richard Matelin of Sandys tribe (formerly Mʳ			

		A.	R.	P.
	Robert Gore A tenement and two Sommerset shares of land in his owne occupation, Lying next to y^{e} northward of y^{e} lands last before entred conť	28	0	16
11	Esq^{re} . . . . . Basset (formerly M^{r} John Delbridge) A tenement and one Sommerset share of land, lying next to y^{e} northestward at a point of land called Daniells point In y^{e} occupation of Robert Burch conť	14	0	08
12	M^{r} Sammuell Harrar (formerly M^{r} John Wroth) A tenement and one Sommersett share of land, lying next to y^{e} eastwards of y^{e} lands of Edward Evans and Richard Matelin before entred. In y^{e} occupation of Richard Merrick conť . .	14	0	08
13	S^{r} John Harper (formerly M^{r} John West his heires or Assignes) foure tenements and foure shares of land Lying next to y^{e} eastward of y^{e} lands last before entred And in the occupation of Thomas Wood, Nathaniell Butterfeild M^{r} Edward Hinson and Hugh Whitlock conť . .	56	0	32
14	M^{r} . . . Edwards (formerly M^{r} Richard Chamberlaine) A tenement and one Sommerset share of land lying next to the northwards of the three shares of M^{r} Edward Hinson before entred. In y^{e} occupation of M^{r} Thomas Hall conť .	14	0	08
15	M^{r} George Waterman and M^{rs} Margery Harris (for M^{r} Richard Chamberlaine.) A tenement and two Sommerset shares of land in the occupation of Sam̄ : Tatum, Lying next to the Northward of the lands last before entred conť . .	28	0	16
16	M^{rs} Elizabeth Sheires (formerly M^{r} Richard Chamberlaine) A tenement and one Sommerset share of land In y^{e} occupation of M^{r} Thomas Hall, lying next to the northward of y^{e} last before entred conť	14	0	08
17	Cap^{t} Thomas Turnor of Sandys tribe (formerly M^{r} Richard Chamberlaine) his dwelling house & one Sommerset share of land at y^{e} north east point. In his owne occupať	14	0	08
18	Cap^{t} William Waylet of Sandis tribe (formerly M^{r} Richard Chamberlain) A tenement and one Sommerset share of land, In his owne occupation. Lying next to y^{e} northwards of M^{rs} Sheires and Cap^{t} Turnor conť ꝑ esť . . .	14	0	08

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19	Cap^{t} Thomas Turno^{r} of Sandys tribe (formerly M^{r} Richard Chamberlaine) one Sommerset share of land, and a third ꝑt of a share in his owne occupation Lying next to the northward contꝰ	18	2	38
20	Cap^{t} ffiorentio Seymo^{r} of Sandys tribe (formerly M^{r} Richard Chamberlaine) his dwelling house with one Sommerset share of land and a third ꝑt of a share in his owne occupation, Lying next to y^{e} northward of y^{e} last before entred contꝰ . .	18	2	37
21	M^{r} John Cuffe (formerly M^{r} Richard Chamberlaine) on Sommerset share & a third ꝑt of a share, In y^{e} occupation of Cap^{t} ffiorentio Seymo^{r}, Lying next to y^{e} northward of y^{e} last before entred contꝰ	18	2	37

The summ of these lands in Sommerset is 702 ac. 2 ro : 00 po :

These are y^{e} shares in Sommerset Island (where every Adventurer in this tribe desired to have a share) being ꝑ^{t} of y^{e} fifty shares in Sandys tribe as I laid them out about 47 yeares past, onely M^{r} Rich: Chamberlaines 10 shares haue beene since subdivided) And some yeares after y^{e} residue of these shares at y^{e} Neck of y^{e} Mayne, and Ireland &c. and Ireland were laid out by M^{r} Perrincheife. Whereof there beeing no Record, & y^{e} Survey so long intermitted, and many sales and alterations made, I could not bee informed nor certainly gather at present w^{ch} ꝑ^{ts} in y^{e} Neck of y^{e} Mayne and Ireland &c. doe or did belong to y^{e} foresaid ꝑ^{ts} in Sommerset, each to its corespondent. ffor Although some of them bee Apparent yet others of them are very vncertaine. But if it bee necessary or y^{t} you desire a more full information on this point, And y^{t} I may haue power to call y^{e} tennants together to bee further informedl I shall vse my dilligence in it. In y^{e} meane time I have here sett them downe in such order as I find them ly. Which is as followeth, onely where I could not be permitted to measure I haue giuen a neare estimate of their true quantities, in all places.

HOGG BAY IN SANDYS TRIBE.

The neck of the mayne sometimes called Hogg bay belonging to Sandys tribe as part thereof Begining on y^{e} south side.

		A.	R.	P.
1	M^{rs} Hester Sandys, late Collonell Richard Sandys for fiue shares of land next adjoyning on y^{e} north side of y^{e} Gleabe, and one y^{e} east side of y^{e} Common way leading from y^{e} Overplus bridge at Sandys Narrow in y^{e} tenure of Thomas Cooper, and in y^{e} occupation of Richard Jeffrey and Humphery Smith, with two tenements therevppon cont̃ ꝑ estimat	37	2	00
2	Cap^{t} Josias forster, his dwelling house & his part for fiue shares of land w^{ch} part lyeth next to y^{e} northward of y^{e} land last before entred, and on y^{e} east side of y^{e} Common way afforesaid; In his owne occupation	42	2	00
3	M^{r} Sammuell Smith a tenement & his part for two shares of land lying next to y^{e} northward of y^{t} last before entred and on y^{e} east side of y^{e} Common way afforesaid. In y^{e} occupation of Richard Shacklock cont̃	20	1	00
4	Esq^{re} Basset and his part for a share of land next adjoyning to y^{e} northward and on y^{e} east side of y^{e} Common way afforesaid; In y^{e} tenure of Robert Burch and in y^{e} occupation of Thomas Yong cont̃ ꝑ estimat̃	08	0	00
5	M^{r} Perient Trott A tenement & his part for 2 shares of land next adjoyning to y^{e} northward, & on y^{e} east side of y^{e} Com̄on way In y^{e} occupation of Robert Varvell cont̃ ꝑ estimat̃ . . .	17	0	00
6	M^{r} Samuell Harrar A tenement and his part for one share of land next adjoyning to y^{e} northward, and on y^{e} east side of y^{e} common way afforesaid leading from Southampton tribe to Sandys Narrow. In y^{e} occupation of Richard Merrick cont̃ ꝑ estimat̃	08	0	00
7	S^{r} John Harper three tenements and his part for foure shares of land next adioyning to y^{e} northward and on y^{e} east side of y^{e} Common way afforesaid. In y^{e} occupation of Mathew Tucker Robert Hurst & Nicholas Spenser cont̃ . . .	35	0	00
8	M^{r} Waterman his part for one share of land next			

		A.	R.	P.
	adioyning to yᵉ northward, and lying for yᵉ most part on yᵉ east side of yᵉ Common way afforesaid; In yᵉ occupation of Thomas Basse conť ꝑ estimať	07	1	00
	Hitherto these parts for shares have abutted at the west end vppon yᵉ common way leading from Southampton tribe to yᵉ bridge at Sandys narrow & at yᵉ east end vppon yᵉ sea called yᵉ great sound.			
	The parts for shares following abutt at yᵉ east end vppon yᵉ afforesaid Common way and at yᵉ west end vppon yᵉ westerne sea Begining with yᵉ southermost of them.			
9	Mʳ John Cuffe a tenement and his part for foure or fiue shares of land adjoyning to yᵉ Overplus land of Capᵗ George Tucker and lying next to yᵉ northward of it, In yᵉ tenure of Mʳˢ Parnell Wilkinson, and in yᵉ occupation of William Harriot conť ꝑ estimať	33	0	00
10	Mʳ Perient Trott a tenement & his part of one share of land next adjoyning to yᵉ northward of yᵗ last before entred. In yᵉ occupation of Richard Whittaker or Boden Kennick conť ꝑ estimať .	07	0	00
11	Capᵗ William Wailet of Sandys tribe his dwelling house and his part for fiue shares of land next adioyning to yᵉ northwards of that last before entred In his owne occupation conť ꝑ estimať .	34	2	00
12	Mʳ John Heydon deputy Governorʳ of yᵉ honoᵇˡᵉ Company A tenement & his part for ten shares of land next adjoyning to yᵉ northward of yᵗ last before entred In yᵉ occupation of William Burch conť ꝑ estimať	69	0	00
13	Capᵗ William Wailet of Sandys tribe A tenement and his part of a share of land, lying neare Sommerset bridge in yᵉ occupation of Samuell North and Edward North conť ꝑ estimať	06	0	00
14	Mʳ Waterman A tenement and his part of two shares of land, In ye. occupation of Sammuell North and Edward North conť ꝑ estimať . .	12	0	00
15	Capᵗ Thomas Turnoʳ of Sandys tribe A tenement and his part for a share of land; lying for yᵉ most part on y west side off Hogg bay, and part on yᵉ east side in yᵉ occupation of . . . . . conť ꝑ estimať	07	2	00

		A.	R.	P.
16	M^{rs} Elizabeth Sheires A tenement and her part for two shares of land, lying on y^{e} west side of Hogg bay. In y^{e} occupation of Thomas Higginbottome, cont̉ ꝑ estimat̉	12	0	00
17	Cap^{t} Thomas Turno^{r} of Sandys tribe A tenement and his part for one share and a third part of a share, lying next to y^{e} northward of y^{t} last before entred In y^{e} occupation of Thomas Higginbottoome cont̉ ꝑ est̉	11	2	00
18	Cap^{t} fflorentio Seymo^{r} of Sandys tribe o^{r} present Governo^{r} A tenement & his ꝑ^{t} for a share and a third ꝑ^{t} of a share, lying next to y^{e} northward of y^{e} last before entred. In y^{e} occupation of M^{r} Christopher Burrowes cont̉ ꝑ estimat̉ . .	10	2	00
19	M^{r} John Cuffe his part for one share and a third part of a share, Lying at y^{e} point in y^{e} tenure of Cap^{t} fflorentio Seymo^{r}, and in y^{e} occupation of M^{r} Christopher Burrowes cont̉ ꝑ estimat̉ . .	12	2	00

The summe of all these lands at y^{e} Neck of y^{e} Mayne commonly called Hogg bay. Lying to y^{e} northwards of Cap^{t} Tuckers three parts of the Overplus and Gleabe two parts I say the summe is ꝑ estimatt̉ 391 ac 0 ro 00 po:

IRELAND ISLAND IN SANDYS TRIBE.

The Island called Ireland, with the other Small Islands betweene and about Ireland & Sommerset, Begining from y^{e} southwest and reckoning toward y^{e} northeast

		A.	R.	P.
1	Cap^{t} Josias fforster of Sandys tribe Three Islands in Heydons bay cont̉ ꝑ estimat̉ 3^{acr} 2^{rs} Item Daniells Island p^{r} estimat̉ 3 ro Item a parcell at y^{e} southwest end of Yates Island cont̉ 3 acres 3 roods In y^{e} occupation of William Bowe. All these parcells lying scattered as afforesaid cont̉ ꝑ estimat̉	08	0	00
2	Cap^{t} Thomas Turnor of Sandys tribe. An Island called Watford Island lying betweene Yates Island and Sommerset Island cont̉ ꝑ estimat̉ .	04	0	00
3	M^{rs} Hester Sandys, late Collonell Richard Sandys a tenement and her part for fiue shares of land			

APP. XV.

1663.

	A.	R.	P.
Lying in yᵉ middle of Yates Island, In yᵉ occupation of Wᵐ Bowe conť ꝑ estimať	19	0	00
4 Mʳ John Heydon Deputy Governoʳ of yᵉ honoᵇˡ Company A tenement and his part for 10 shares of land; Namely yᵉ northermost part of Yates Island; In yᵉ occupation of Leifť Bernard Coleman, conť ꝑ estimať 9 acres. Item a tenement and yᵉ southwest part of Ireland to yᵉ Crawle, and two small Islands (conť ꝑ estimať 2 acres) at yᵉ Crawle in yᵉ occupation of Neriah Hill, conť ꝑ estimať 24ᵃᶜ 1ʳˢ In yᵉ whole conť ꝑ estimať	34	1	00
5 Mʳ James Johnsey A tenement, and his part for three shares of land, Lying next to yᵉ Crawle point, in yᵉ occupation of John Burch, conť ꝑ estimať	13	2	00
6 Mʳ Perient Trott part of a share of land adjoyning to yᵉ former In yᵉ occupation of Richard Whittaker conť ꝑ esť	03	3	00
7 Mʳ Perient Trott a tenement and his part for two sh: of land neare yᵉ bottome of yᵉ Crawle, In yᵉ occupation of Edward Burgis and Andrew Brownlow conť ꝑ estimať	07	0	00
8 Mʳ Samuell Smith his part for two shares of land next adjoyning to yᵉ eastward of yᵉ former, in yᵉ occupation of John Halsteed conť ꝑ estimať .	07	0	00
9 Richard Matelin of Sandys tribe his part for three shares of land next to yᵉ northeast, In his owne occupation conť ꝑ estimať	11	0	00
10 Edward Evans of Sandys tribe his part for two shares of land next adioyning to yᵉ northeastward. In his owne occupation conť ꝑ estimať . .	06	0	00
11 Richard Matelin of Sandys tribe his part for two shares of land next adioyning to yᵉ northeastward In his owne occupation conť ꝑ estimať .	09	0	00
12 Esqʳ . . . Basset his part for two shares of land next adioyning to yᵉ northeastward, In yᵉ occupation of Robert Burch conť ꝑ estimať . .	03	0	00
13 Sergeant . . . Merrick of Sandys tribe his part for a share of land, next adjoyning to yᵉ northeastward In his owne occupation conť ꝑ estimať	03	1	30
14 Edward Hinsman of Sandys tribe his part for foure shares of land next adioyning to yᵉ northeastward, In his owne occupation conť ꝑ estimať .	11	1	00

		A.	R.	P.
15	M^{r} Edwards his part for two shares of land next adioyning to y^{e} northeastward, In y^{e} occupation of M^{r} Hall conť ꝑ estimať	04	02	00
16	M^{r} George Waterman and M^{rs} Margery Harris, their part for two shares next adjoyning to y^{e} north-eastward In y^{e} occupation of Samuell Tatum conť ꝑ estimať	06	1	00
17	M^{rs} Elizabeth Sheires, her part for one share of land next adioyning to y^{e} northeastwards, In y^{e} occupation of Thomas Hall conť ꝑ estimať . .	04	1	00
18	Cap^{t} William Wailet of Sandis tribe his part for one share of land: And Cap^{t} Thomas Turno^{r} of Sandys tribe his part for another share. In all two shares of land next adioyning to y^{e} north-east, In their owne occupation conť ꝑ estimať .	07	1	00
19	Cap^{t} Thomas Turno^{r} afforesaid his part for one share & $\frac{1}{3}$ of land next adioyning to y^{e} north-eastward in his owne occupation conť ꝑ estimať	04	2	30
20	Cap^{t} fflorentio Seymo^{r} our present Governo^{r} his part for one share and a third, and M^{r} James Johnsey his part for one share and a third, both parts lying together at y^{e} northeast end of Ireland in the occupation or tenure of y^{e} said Cap^{t} fflorentio Seymo^{r} conť ꝑ estimať . .	09	1	20

The summ of this Island called Ireland, with Yates Isle and some other small islands about Ireland & Sommerset part of Sandys tribe conť ꝑ estimať 175^{ac} 1ro 10^{ps}

The sum̄ of this whole tribe called Sandys tribe consisting of Sommerset Island, Hogg bay al̄s y^{e} Neck of the mayne, Ireland & y^{e} other Islands 1268 acres 3 roods 10 po Which is something more then other tribes for y^{e} Causes afforesaid

SPECIAL INDEX TO APPENDIX XV.

Names of English Proprietors in 1663 are printed in *italics*. The same share of land may appear twice—*viz.*, under the names of its owner and of its occupier. Where there is a name in the fifth column, the occupier is a tenant.

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Abercromby, Rev. Thos.	53	50	Tucker's Town	Gleabe land	
Ackland, Thos.	12	28½	an Island		
Adams, Will.	29	5	David's Island	Jacob Axton	
Allen, Will.	1		David's Island	Company	
Allin, Anne	32	24	Hamilton		Mr. Polson
Allin, Thos.	49	24½	Warwick		Mr. R. Tomkins
Ansley, Edw.	2	$\frac{50}{3}$	Hamilton	Col. Owen Rowe	
Ap Owen, Richard	1	49	Devonshire	Richard Ap Owen	Mr. Johnson
Ap Owen, Richard	18	24½	Devonshire	Mr. Knightley	Mr. E. Ditchfield
Ap Owen, John	31	24½	Smith's	Parnell Wilkinson	Sir John Worsenholme
Aser, Godheard	7	72	Hamilton	Heirs of Delbridge	John Delbridge
Aser, Godheard	2½	61½	Smith's Island	Smith's Fort	
Atkinson, Sam.	54	25	Tucker's Town	Company	
Atwood, Edw.	12	24	Hamilton	Capt. Geo. Hubbart	Mr. Quick
Atwood, Henry	32	25	Paget's	Henry Moore	Capt.G Etheridge
Austin, Nathl.	15	24½	Warwick	Mrs. Sarah Smith	Mr. Thos. Wale
Axton, Jacob	11	$\frac{24}{3}$	Hamilton	Mr. M. Wicks	Mr. Ralph King
Baily, Roger			St. Georges, B	Governor	
Baily, John	4	$\frac{24}{2}$	Devonshire	Mr. Perient Trott	Mr. Weld
Baily, Robert	6	$\frac{24}{2}$	Devonshire	Mr. Perient Trott	Mr. Weld
Ball, George	6	50	Hamilton		
Ball, George	15	25	Smith's	Mrs. Hester Sandys	Sir Edw. Sandys
Ball, George	15	$\frac{49}{3}$	Smith's	Mrs. Hester Sandys	Sir Edw. Sandys
Barnes, William	4	24½	Southampton		Sir Thos. Smith
Bascombe, George	29	24½	Warwick	Mr. Holland	Mr. Wells
Bascoyne, Esq., Hugh	7	122	Paget's		Lord Paget
Bascoyne, Esq., Hugh	8		Paget's		Lord Paget
Bascoyne, Esq., Hugh	9		Paget's		Lord Paget
Bascoyne, Esq., Hugh	10		Paget's		Lord Paget
Basden, Mr. Wm.	47	24½	Warwick		Mr.Geo. Swinhow
Basden, Mr. Wm.	48	24½	Warwick		Mr.Geo. Swinhow
Basse, Thomas	8	7	Hog Bay, Sandy's	Mr. Waterman	
Basset, — Esq.	4	8	Hog Bay, Sandy's		Thomas Young

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Basset, — Esq.	11	14	Somerset Island		Mr. Jno. Delbridge
Basset, — Esq.	12	3	Ireland Island		
Bateson, Mr. Matthew	21	49	Smith's	Severne Viccars	Mr. H. Timberley
Beake, Abiel	12	24½	Pembroke	Col. Owen Rowe	Mr. Harding
Beake, John	14	24½	Pembroke	Mr. Samuel Whiting	Mr. Ward
Bedwell, John	1		St. George's E	Governor	
Bell, William	26	25	David's Island	Company	
Bentley, John	31	24½	Warwick	Mr. Perient Trott	Dr. A. Hunton
Bermuda, Comp.	26	24½	Paget's		Mr. T. Wheatley
,,	27	49	Paget's		Mr. T. Wheatley
Bickerton, Edward	5	49/3	Devonshire	Mr. Perient Trott	Mr. Weld
Bollard, Ann	6	24	Paget's	Mr. Thos. Murrell	Alderman Cotton
Bollard, Ruth	6	24½	Paget's	Mr. T. Murrell	Mr. Ffenner
Bond, Rev. Sampson	5	49	Pembroke	Glebe house and land	Mr. Leavers
Bostwick, Thomas	28	24½	Smith's	Capt. W. Sayle	Mr. John Wroth
Bowen, Benjamin	21	24½	Devonshire	Mr. John Stow	Mr. Anthony Peniston
Bowe, William	1	8	Ireland Island	Capt. Josias Forster	
Bowe, William	3	19	Ireland Island	Mrs. Hester Sandys	Col. R. Sandys
Brackley, Edw., Lt.	2		St. George's	Company	
Brangman, Edw., Lt.	25	25	David's Island	Company	
Brereton, Mr. Thos.	27	49	Paget's	The Hon. Company	Mr. Thomas Wheatley
Bristow, John, Marshall	1	50	St. George's	Marshall's land	
Bristow, John, Marshall	1/7	50/7	St. George's, E	Governor	
Browne, Roger		25/3	St. George's, E	Governor	
Browne, John	59	25/3	Tucker's Town	General land	
Browning, Mr.	8	24½	Southampton		Mr. A. Dawes
Brownlow, Andrew	7	7	Ireland Island	Mr. Perient Trott	
Bryan, Mr. Stephen	9	24½	Southampton		Leonard Harwood
Bullard, Daniel	19	24½	Pembroke	Free School land	Mr. Holman
Bullard, D.	20	24½	Pembroke	School Land	Mr. N. Ffarrer Mr. Holman
Bullard, Dan. jun.	17	12	Pembroke	Mr. Dennys	Mr. Jacobson
Bullock, Mr. Wm.	9	24½	Warwick		Mr. Saml. Ticknor
Bullock, W.	10	24½	Warwick		Mr. S. Ticknor
Bullock, Mr. Wm.	34	12	Warwick	Mr. Perient Trott	Mr. R. Poulson
Burch, John	4	28	Somerset Island	Mr. James Jauncey	Mr. John Cuffe
Burch, John	5	13½	Ireland Island	Mr. James Jauncey	
Burch, Jonathan	8	21	Somerset Island	Mr. Edward Hinson	Mr. Robt. Gore
Burch, Robert	12	3	Ireland Island	— Basset, Esq.	
Burch, Robert	25	24½	Southampton	Capt. Thos. Turner	Mr. George Scott
Burch, Robert	4	8	Hog Bay, Sandy's	Esq. Bassett	
Burch, William	12	69	Hog Bay, Sandy's	Mr. John Heydon	
Burcher, Robert	24	25	David's Island	Company	
Burgis, Edward	5	28	Somerset Island	Mr. Perient Trott	Mr. R. Chamberlain
Burgis, Edward	7	7	Ireland Island	Mr. Perient Trott	
Burgis, Mr. Thos.	27	48	Hamilton		Capt. Covelles
Burrowes, Mr. Chris.	1	70¼	Somerset Island		Mr. Geo. Barckley
Burrows, Christr.	18 19	23	Hog Bay, Sandy's	Capt. Seymour Mr. J. Cuffe	
Burrows, Michael	22	48	Hamilton		Mr. Cleophas Smith

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Burrows, Christr.	16	25	Pembroke		Mr. Ffearne
Burt, John	27	21	Elizabeth Island		
Butterfield, Nath.	13	25	Somerset	Sir J. Harper	Mr. J. West
Canter, Chris.	29	24	Hamilton		Mr. Greenwell
Carnaby, Henry	11	24	Paget's	Mr. A. Pymme	Lord Paget
Caston, John	31	49	Paget's		Sir Rd. Grobham
Cawley, Mr. Thomas	6	24½	Smith's		Mr. Robert Smith
Chandler, Mr.	5	24½	Paget's		Alderman Cotton
Chaplaine, Lt. Ed.	24	24½	Warwick	Mr. Waterhouse	Mr. R. Maplesden
Charon, Mr. Wm.	6	24½	Southampton		Mr. Abm. Dawes
Christr. Cumber	2	24½	Pembroke		Mr. Geo. Smith
Clarke, Mr. Thomas	28	24½	Devonshire		Mr. Wm. Palmer
Clinch, Thos.	50		Tucker's Town	Generalle land	
Coates, Bartholomew	11	49	Devonshire	John Cox	Mr. Edw. Luckin
Cole, Daniel	3	14	Somerset	Mr. John Heydon	Mr. Jerome Heydon
Coleman, Bernard	3	25	Somerset	Mr. John Heydon	Mr. Jerome Heydon
Collins, Thomas	31	24	Hamilton		Mr. Pollson
Collins, Thomas	32	24	Hamilton	Mrs. Ann Allin	Mr. Polson
Conyard, Nath.	36	21	Tucker's Island		
Cooper, Thos.	7	24½	Southampton		Mr. A. Dawes
Cooper, Thomas	3	51	Overplus	Mrs. Hester Sandys	Col. R. Sandys
Cooper, Thomas	1	37½	Hog Bay	Mrs. Hester Sandys	Col. R. Sandys
Cox, John	11	49	Devonshire		Mr. E. Luckin
Cox, Mrs. Martha	20	24	Hamilton	Mr. Perient Trott	Sir Thos. Huggins
Crockford, Charles	28	24½	Smith's	Capt. W. Sayle	Mr. J. Wroth
Crossekeys, Thos.	11	$\frac{24}{3}$	Hamilton	Mr. M. Wicks	Mr. Ralph King
Cuffe, Mr. John	9	33	Hog Bay, Sandy's		
Cuffe, Mr. John	19	12½	Hog Bay, Sandy's		
Cuffe, Mr. John	21	18½	Somerset Island		Mr. Rd. Chamberlain
Cumber, Christr.	2	24½	Pembroke	Capt. Thos. Richards	Mr. Geo. Smith
Dando, Marmaduke	18	24½	Southampton	Mr. Richard Hunt	Sir Nathl. Rich
Davids, George	2	$\frac{70}{4}$	Somerset	Mrs. Hester Sandys	Col. R. Sandys
Davis, Randall	22	25	David's Island	Commissioners of Southampton Fort	
Dawes, William	1	25	Hamilton	Mr. W. Peazley	
Delawne, Mr.	20	49	Devonshire		Mr. G. Delawne
Delbridge, J. Heirs	7	72	Hamilton		
Dennys, Mr.	17	24½	Pembroke		Mr. Jacobson
Devitt, Mr. John	17	24½	Warwick	Mr. Perient Trott	Earl of Warwick
Devitt, Mr. John	18	$\frac{24}{2}\frac{1}{2}$	Warwick	Mr. Perient Trott	Earl of Warwick
Devitt, Mr. John	42	24½	Warwick	Capt. Geo. Tucker	Sir Robt. Mansell
Devonshire, Earl of	9 10	245	Devonshire. Within these shares the Church & churchyard for this & next tribe		William Lord Cavendish

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Dickenson, Robert	24	49	Southampton		Mr. R. Moorer
Diller, William	30	24½	Warwick	The Free School	Mr. Wm. Webster
Dobson, Humphrey	14	24½	Pembroke	Mr. Roberts	Mr. Fearne
Dobbs, Roger	10	24	Devonshire	Earl of Devonshire	Ld. W. Cavendish
Dorrell, John	6	24½	Pembroke		Mr. Nich. Hyde
Dorrell, John	35	24½	Paget's		Mr. Cresswell
Dorrell, John	1	49	Southampton		
Dorrell, Mr. John	44	24½	Warwick		Sir Robt. Mansell
Dorrell, Mr. John	45	24½	Warwick		Sir Robt. Mansell
Dorrell, Mr. John	46	24½	Warwick		Mr. Christopher Clitheroe
Dorset, James	12	24½	Warwick	Mrs. Sarah Smith	Mr. Thos. Wale
Downing, Benj.	23	49	Devonshire		Mr. E. Luckin
Dunscombe, Mrs. Hannah	8	49	Pembroke		Mr. Thos. Judwin
Dunscombe, Philip	23	24½	Paget's	Free School land	Mr. Thos. Church
Dunscombe, Thomas	24	24½	Pembroke	Mr. Henry Moore	Mr. Abbot
Dunscombe, Samuel	29	24½	Pembroke	Mrs. Trimmingham	Sir Thos. Smith
Durham, Mrs. Eliz.	14	24½	Southampton	Free School land	Sir Nathl. Rich
Durham, Henry	15	24½	Southampton	Free School land	Sir Nathl. Rich
Edwards, Mr.	14	14	Somerset Island	Mr. Thomas Hall	Mr. Richard Chamberlaine
Edwards, Mr.	15	4½	Ireland		
Edwards, Mr.	30	24½	Pembroke		Mr. Cartwright
Ellis, Mr. Thomas	24	49	Devonshire		Mr. Rogers
Elwick, Mr. John	1	24½	Pembroke	Capt. Thos. Richards	Mr. Geo. Smith
Evans, Cornelius	⅓		St. George's, E	Governor	
Evans Edmund	29	24½			
Evans, Edmund	29	24½	Southampton	Capt. T. Richards	E. of Southampton
Evans, Edward	10	6	Ireland Island		
Evans, Edward	9	28	Somerset Island		Sir John Davers
Evans, Joseph	29	24½	Southampton	Capt. Thos. Richards	Earl of Southampton
Ewers, Mr. Jeremy	8	24½	Warwick		Mr. J. Kettleby
Ewers, Mr. Jeremy	33	24½	Warwick		Mr. Francis Melveril
Ffelgate, Mrs.	21	24½	Warwick		Mr. Wm. Felgate
Ffarnell, Francis	13	$\frac{24}{2}$	Pembroke	Mr. B. Rosyer	Mr. Speckhart
Fletcher, Mr.	19	49	Devonshire		Mr. Fletcher, sen.
Fflowers, Elyss	24	24½	Smith's		Ald. Johnson
Ffoord, Henry	34	24½	Paget's		Sir W. Wade
Ffoord, Henry Sr	9	24½	Pembroke	Sir B. Rudyerd	E. of Pembroke
Ffoord, Mr. Henry, jr.	21	49	Pembroke		Mr. Canning
Ffoord, Mr. Henry, jr.	23	24½	Pembroke		Mr. Abbot
Forster, Capt. Josias	2	42½	Hog Bay, Sandy's		
Forster, Jos.	1	8	Ireland Island		
Forster, Mr. Thos.	18	24½	Paget's		Mr. Palmer
Fox, Lieut. John	32	15	David's Island	Capt. Godbeard Aser	Mr. J. Delbridge
Garroway, Thomas	26	49	Devonshire	Mr. Josph. Wiseman	Mr. Wm. Palmer
Gaud, Daniel	25	34½	Warwick		Mr. R. Maplesen
Gaud, Daniel	7	24½	Southampton	Thomas Cooper	Mr. Abrm. Dawes
Gibbons, James	6	24½	Smith's	Mr. Thos. Cawley	Mr. R. Smith

Owner or Occupier	No. of Share	Quantity of Land A	Tribe or Locality	Of whom held	Original Grantee
Gilbert, Richard	16	24	Smith's		Sir Edwin Sandys
Golding, Percival	2	49	Devonshire	The Free School	Mr. Benson and Mr. Faucett
Goodale, Edw.	3	14	Somerset	Mr. John Heydon	Mr. Jerome Heydon
Governor, The	2		St. George's, E		
Goodfaith, Jos.	1		St. George's, E	Governor	
Grazbury, Edward	8	24½	Smith's	Lieut. Ed. Brackley	Mr. Geo. Barckley
Grazbury, James	58		Tucker's Town		
Grazbury, John	22	25	David's Island	Commander of Southampton Fort	
Grazbury, Edward	6	25	Hamilton	Geo. Ball	
Greenaway, William	32	24½	Warwick	Mr. Perient Trott	Dr. Anthony Hunton
Greenleafe, Thos.	8	21	Somerset	Mr. Edw. Hinson	Mr. R. Gore
Griffin, Thomas	34	24½	Paget's	Mr. Henry Foord	Sir Wm. Wade
Griffin, Thomas	14	49	Smith's	Mr. Wm. Pennistone	Sir Anthony Ager
Griffin, Thomas	32	49	Smith's	Capt. Richd Jennyns	Sir John Worsenholme
Guarding, Dr.	4	24½	Paget's		Alderman Cotton
Guisc, William	11	$\frac{24}{2}$	Hamilton	Mr. M. Wicks	Mr. Ralph King
Hall, Mrs. Deborah	8	37½	Hamilton	Mr. Hubbert	J. Dike
Hall, Thomas	5	50	Hamilton		
Hall, Thomas	14	14	Somerset	Mr. Edwards	Mr. R. Chamberlaine
Hall, Thomas	17				
Hall, Mr.	15	4	Ireland Island	Mr. Edwards	
Halsey, James	8	24½	Smith's		
Halstead, John	7	28	Somerset Island	Mr. Samuel Smith	Mr. Geo. Smith
Halstead, John	8	7	Ireland Island	Mr. Samuel Smith	
Hanger, Richard	30	24½	Pembroke	Mr. Edwards	Mr. Cartwright
Harding, Hugh	20	25	David's Island	Company	
Hariot, John	17	24½	Devonshire		Mr. Nicholls
Harper, Sir John	7	35	Hog Bay, Sandys		
Harper, Sir John	13	56	Somerset Island		Mr. John West
Harrar, Mr. Saml.	6	8	Hog Bay, Sandy's		
Harrar, Mr. Saml.	12	14	Somerset Island		Mr. John Wroth
Harris, Margery	16	$\frac{6}{2}$	Ireland Island		
Harvey, Humphrey	3	25	Hamilton	Mr. W. Peazley	
Hatchett, Thomas	2	25	Hamilton	Col. Owen Rowe	
Hawes, Mr. N.	18	24	Hamilton		
Hawkes, Richard	2	49	Smith's		Mr. Edwards
Haynes, William	10	24	Hamilton		Mr. Phipps
Helyn, John	45	17	Islands, Horne B.		
Herbert, Richard	19	49	Devonshire	Mr. Ffletcher	Mr. Ffletcher, jr.
Heydon, Mr. John (deputy Governor of Company)	12	69	Hog Bay, Sandy's		
Heydon, Mr. John	3	140½	Somerset Island	John Whitney Daniel Cole	Mr. Jeri. Haydon
Heydon, Mr. John	4	33	Ireland Island	Neriah Hill	
Hide, Sir Lawrence	7	24½	Pembroke	Thomas Weaverley	Sir L. Hide
Higginbothom, Thos.	167	11½	Hog Bay, Sandy's	Capt. Thos. Turner	
Higgs, Miles	19	25	David's Island	Company	
Hill, Mr. Gilbert	22	24½	Warwick	Capt. Geo. Tucker	Capt. Watts

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Hill, Mr. Gilbert	23	24½	Warwick	Capt. Geo. Tucker	Capt. Watts
Hill, Neriah	4	26	Ireland Island	Mr. John Heydon	
Hilton, Lt. Thos.	16	24½	Southampton		Sir N. Riche
Hilton, Thos., Lieut.	23	50	David's Island	Company	
Hinde, Lt.-Col. John	28	98	Paget's	Captain John Wentworth	Mr. Barron
Hinde, Lt.-Col. Hinde	13	49	Smith's	Mr. Thos. Griffin	Sir Anthony Ager
Hinsman, Edward	14	11	Ireland Island		
Hobson, Margery	28	24	Hamilton		Capt. Covell
Holland, Mr. J.	29	24½	Paget's	Capt. Geo. Bascombe	Mr. Wells
Holland, J.	30	24½	Paget's		Mr. Woodale
Holloway, Hannah	1	$\frac{50}{7}$	St. George's, E	Governor	
Holmes, Edward	28	4	Warwick	Common land	
Hopkins, Samuel	13	12½	Pembroke	Mr. B. Rosyer	Mr. Speckart
Hornsby, Giles	2	$\frac{50}{2}$	Hamilton	Col. Owen Rowe	
Howe, Nicholas	19	24½	Paget's		Mr. Palmer
Hubbart, Capt. G.	12	48	Hamilton		Mr. Quick
Hubbart, Capt. Geo.	13	49	Devonshire		Mr. Ed. Luckin
Hubbart, Mr. J.	8	37½	Hamilton		Mr. T. Dike
Hunt, Mr. Richard	17	98	Southampton		Sir Nathl. Rich
Hunt, Rich.	18	24½	Southampton		Sir N. Riche
Hurt, John	$\frac{1}{7}$		St. George's, E	Governor	
Hutchings, Thomas	27	24½	Devonshire	Mr. John Vaughan	Mr. Wm. Palmer
Hutchings, John	35	24½	Paget's	Mr. John Dorrell	Mr. Creswell
Ingham, John	6	24½	Pembroke	Mr. John Dorrell	Mr. Nichols. Hide
Islake, Robert	4	24½	Pembroke	Capt. Thos. Richards	Mr. Geo. Smith
Islake, Francis	23	24½	Paget's	Free School	Rev. P. Copeland
Jaunsey, Jas.	4	28	Somerset		Mr. John Cuffe Mr. Mellim
,,	5	13½	Ireland Island		
Jennyns, Capt. Rd.	46	1½	Southampton Fort		
Jennyns, Capt. Rd.	20	98	Smith's		Mr. Rd. Moore
Jennyns, Capt. R.	32	49	Smith's		Sir J. Worsenholme
,,	22	73½	Southampton		Mr. R. Moorer
Jennyns, Richard	27	24½	Smith's	Capt. W. Sayle	Mr. J. Wroth
Jennynings, Anne	16	24	Hamilton	Mr. William Webb	
Jobson, William	21	24½	Warwick	Mr. Ffelgate	Mr. Ffelgate
Johnson, John	1	24½	Paget's	Mr. A. Pymme	Sir W. Garway
Johnson, Hamd.	17	12	Pembroke	Mr. Dennys	Mr. Jacobson
Jones, Henry	25	12½	Pembroke	John Squire	Mr. R. Caswell
Jones, George	2	24½	Warwick		Mr. Michl. Eston
Jones, Richard	23	24	Hamilton	Mr. Perient Trott	Earl of Warwick
Jones, Richard	10	73	Devonshire	Earl of Devonshire	W. Lord Cavendish
Jones, Wm. Lieut.	59	50	Tucker's Town	Castle Land	
Joyner, Mr. Anthony	33	36	Hamilton	Mr. Knightley	Mr. Webb
Joyner, Mr. Anthony	35	36	Hamilton	Mr. Knightley	Mr. Webb
Keele, William	8	24½	Southampton	Mr. Browning	Mr. A. Dawes
Kemble, Thomas	12	24½	Southampton	Free School Land	Sir Nathl. Rich
Kersey, Thomas	5	24½	Southampton		Mr. John Breton
Knightley, Mr.	18	24½	Devonshire	Richard Ap Owen	Mr. Ed. Ditchfield
Knightley, J.	33	36	Hamilton		Mr. Webb
,,	35	36	,,		

Owner or Occupier	No. of Share	Quantity of Land A	Tribe or Locality	Of whom held	Original Grantee
Knowles, Diamond	22	73½	Southampton	Capt. Rd. Jennyns	Mr. R. Morer
Lea, Capt. Philip	20	98	Paget's	Capt. Philip Lea	Mr. Thos. Church
Lea, Richard	26	24½	Paget's	The Hon. Company	Mr. Thomas Wheatley
Lea, Phillip	21	98	Paget's		Mr. T. Church
Lea, Capt. Christphr.	3	$\frac{49}{1}$	Warwick	Mr. Perient Trott	Mr. Michl. Eston
Lea, Capt. Christphr.	4	$\frac{49}{2}$	Warwick	Mr. Perient Trott	Mr. Michl. Eston
Leaycraft, Mrs. Jane	32	73½	Southampton		Sir Thos. Hewitt
Leybourne, John	53	24½	Warwick		Mr. M. Bond
Lindy, William, sr.	9	24½	Paget's	Esq. Hugh Bascoyne	Lord Paget
Long, John	7	49	Devonshire	John Long	Mr. Alderley
Longstone, Johnthn.	10	37	Devonshire	Earl of Devonshire	W. Lord Cavendish
Low, John	2	14	Somerset	Mrs. Hester Sandys	Sir E. Sandys
Lowe, Mr. Matthew	19	24	Hamilton		Capt. Bernard
Lydall, John	35	30	David's Island	Samuel Whitney	
Mallary, Doroth.	2	58	Overplus	Gleabe Land	
Marrow, Daniell	56	25	Tucker's Town	Company	
Martin, John	35	24½	Warwick		Mr. Mat. Shepherd
Matelin, Richard	10	28	Somerset Island		Mr. Robert Gore
Matelin, Richard	9	11	Ireland Island		
Matelin, Richard	11	9	Ireland Island		
Merrrick, Sergt.	13	3	Ireland Island		
Michael, Charles	49	24½	Warwick	Mr. Thomas Allen	Mr. Rd. Tomlins
Michael, John	$\frac{12}{2}$	$\frac{48}{2}$	Hamilton	Capt. Geo. Hubbart	Mr. Quick
Middleton, Edw.	$\frac{1}{7}$		St. George's, E	Governor	
Milner, Mr. John	9	48	Hamilton	Mr. Perient Trott	Mr. Roberts
,,	$\frac{15}{2}$	12½			
Mills, John	1½		St. George's, E	Governor	
Ming, David	42	77	Cooper's Island	Company	
Morgan, Mrs. Ann	26	24½	Southampton		Mr. George Scott
Moore, Thomas	40	24½	Warwick. The Church in this.	Capt. Geo. Tucker	Sir Robt. Mansell
Moore, Mr. Henry	32	49	Pembroke		Sir Anthony Ager
Moore, Henry	24	24½	Pembroke		Mr. Abbots
,,	32	98	Paget's		Capt. George Etheridge
More, John	36	3	David's Island		
More, John	37	10	David's Island	Michael Burrows	
More, William More, Joseph, *fil*	54	50	Tucker's Town	Company	
Morris, John	31	$\frac{24}{2}$	Hamilton		Mr. Polson
Morris, Richard	20	24½	Devonshire	Mr. Delawne	Mr. Gideon Delawne
Mountain, Mary	30	10	David's Island	Mr. Southerne	
Murrell, Mr. Thos.	31	15	Southampton	Capt. G. Hubbart	Mr. George Scott
	27	49		Mr. Thomas Murrell	
Murrell, Th.	2	29½	Paget's		Alderm. Cotton
,,	6	49	Paget's		
Murrell, H.	50	73	Warwick		Mr. J. Kerrell
	51		,,		Sir J. Walter
	52		,,		
Nailor, Eliz.	38	25	David's Island	Mr. Waterman	Mr. Waterman
Napton, John	4	49	Smith's		Mr. Robt. Payne

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Nash, George	14	24	Paget's	Mr. Alex. Pymme	Lord Paget
Nash, John	8	24½	Paget's	Esq. Hugh Bascoyne	Lord Paget
Nelmes, John	43	24½	Warwick	Capt. Geo. Tucker	Sir Robt. Mansell
Nelmes, Capt. Wm.	50	24½	Warwick	Mr. Meverill	Mr. Hollands
Nelmes, Capt. Wm.	51	24½	Warwick	Mr. Meverill	Mr. John Kerrell
Nelmes, Capt. Wm.	52	24½	Warwick	Mr. Meverill	Sir John Walter
Newman, Josias	3	24½	Pembroke		Mr. Geo. Smith
Newman, William	59		Tucker's Town	General land	
Newton, Samuel	3	49	Smith's		Mr. Payne
Nicholls, John, sheriff	3	100	St. George's	Sheriff's land	
Nicholls, Mr. John	24	24½	Paget's		Mr. Geo. Smith
Norman, Matthew	1	$\frac{25}{3}$	St. George's, E	Governor	
North, Edward	13	$\frac{6}{2}$	Hog Bay	Capt. Wailet	
North, Nathaniel	56	25	Tucker's Town	Company	
North, Nathaniell	5	24½	Smith's	Mr. Perient Trott	Mr. Robt. Smith
North, Samuel	13	6	Hog Bag, Sandy's	Capt. Wm. Wailet	
Norwood, Mr. Rd.	26	49	Pembroke		Mr. R. Caswell
Outerbridge, Wm.	22	48	Hamilton	Mr. Michael Burrows	Mr. Clphas. Smith
Outerbridge, Wm.	24	12	Hamilton	Mr. Perient Trott	Earl of Warwick
Outerbridge, Wm.	26	24	Hamilton	Mr. Perient Trott	Earl of Warwick
Owen, Evan	9	3	Island, Crow L.		
Owen, Lazarus	22	28	Island, G. Sound		
Painter, Steph.	31	49	Southampton		Mr. H. Timberley
Parker, Thomas	2	24½	Paget's	Mr. Thos. Murrell	Alderman Cotton
Payne, Bartholomew	23	24½	Southampton	Capt. Thos. Richards	Mr. Rich. Moorer
Payne, Bartholomew	24	49	Southampton		Mr. Rich. Moorer
Peazley, Mr. Wm.	1	25	Hamilton		Countess of Bedford
Peazley, Mr. W	3	50	Hamilton	H. Harvey	Ruth Willis
Peazley, Mr. W.	4	25	Hamilton	Mrs. Ruth Willis	
Peniston, Mr. Wm.	1	49	Smith's		Sir Dudley Diggs
Peniston, W.	14	49	Smith's		Sir A. Ager
Perenchiefe, John	21	75	Paget's	Capt. Philp Lea	Mr. Thos. Church
Place, John	30	24	Hamilton		Mr. Spruson
Plummer, Thomas	22	49	Devonshire		Mr. Best
Potter, Martin	28	24½	Devonshire	Mr. Thos. Clarke	Mr. W. Palmer
Potter, Richard	10*a*	24½	Pembroke	Mr. Alex. Pymme	Earl of Pembroke
Potter, Salters	10*b*	24½	Pembroke	Mr. Alex. Pymme	Earl of Pembroke
Powell, Robert	1	25	St. George's,	Governor	
Priestley, Robert	3	15	Somerset	Mr. John Heydon	
Prosser, Simon	2*c*	14	Somerset	Mrs. Hester Sandys	Col. R. Sandys
Prudden, Mr. Matt.	32	37	Paget's	Mr. Henry Moore	Cpt. G. Etheridge
Pymme, Alex.	10	98	Pembroke		E. of Pembroke
Pymme, Mr. Alex.	1*a*	122½	Paget's		Sir Wm. Garoway
Pymme, Mr. Alex.	1*b*		Paget's		Sir W. Garoway
Pymme, Mr. Alex.	1*c*		Paget's		Sir W. Garoway
Pymme, Mr. Alex.	1*d*		Paget's		Sir W. Garoway
Pymme, Mr. Alex.	1*e*		Paget's		Sir W. Garoway
Pymme, Mr. Alex.	11	122½	Paget's		Lord Paget
Pymme, Mr. Alex.	12		Paget's		Lord Paget
Pymme, Mr. Alex.	13		Paget's		Lord Paget
Pymme, Mr. Alex.	14		Paget's		Lord Paget
Pymme, Mr. Alex.	15		Paget's		Lord Paget

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Rawlins, Lieut. Jno.	11	24½	Warwick		Mr. Thos. Wale
Rawlins, Lieut. Jno.	13	12½	Warwick	Mrs. Sarah Smith	Mr. Thos. Wale
Reynolds, Margaret	6	12	Smith's	Mr. T. Cawley[1]	Mr. R. Smith
Rivers, John	40	20	Brother Island		
Rivers, Milhael	2*d*	14	Somerset	Mrs. Hester Sandys	Col. R. Sandys
Richards, Thomas	3	12½	Southampton	Lieut. Anthy. White	Sir Thos. Smith
Richards, Capt. T.	1	24½	Pembroke		Mr. Geo. Smith
,,	2	24½	,,		,,
,,	4	24½	,,		,,
,,	23	24½	Southampton		Mr. R. Moorer
,,	29	98	,,		Earl of Southampton
Richards, Capt. Thos.	30	49	Southampton		Earl of Southmptn
Richardson, Richard	9*c*	29¼	Pembroke	Sir B. Rudyer	Earl of Pembroke
Roberts, Mr.	15	24½	Pembroke		Mr. Fearne
Roberts, John	6–7	4	Trunk Island		
Roberts, Edward	7	24½	Smith's	Mr. W. Wrighton	Mr. Geo. Barkley
Rosger, Mr. Barth.	13	24	Pembroke		Mr. Speckhart
Roe, David	23	49	Devonshire	Benjamin Downing	Mr. Ed. Luckin
Roe or Rowe, Col. Owen	12	24½	Pembroke		Mr. Harding
Roe or Rowe, Col. Owen	2	50	Hamilton		
Rudyer, Sir Benjn.	9	147	Pembroke		Earl of Pembroke
Sandys, Mrs. Hester	1	37½	Hog Bay, Sandy's		Col. Rd. Sandys
Sandys, Mrs. Hester	2	70¼	Somerset Island		Col. Rd. Sandys
Sandys, Mrs. Hester	3	19	Ireland Island		Col. Rd. Sandys
Sandys, Mrs. Hester	3	51	The Overplus		Col. Rd. Sandys
Sandys, Mr. Chauncy	12	24½	Smith's		Sir Sam. Sandys
Sandys, Mrs. Hester	15	49	Smith's		Sir Edwin Sandys
Saunders, Richard	20	24½	Pembroke	Free School land	Mr. Holman
Sawyer, Arthur	23	24½	Devonshire	Benj. Downing	Mr. E. Luckin
Sayle, Capt. Wm.	22	49	Pembroke		Mr. Martin
Sayle, Capt. Wm.	23	49	Smith's		Robt. Johnson (Alderman)
Sayle, Capt. Wm.	26	24½	Smith's		Aldrmn. Johnson
Sayle, Capt. Wm.	27	24½	Smith's		Mr. John Wroth
Sayle, Capt. Wm.	28	24½	Smith's		Mr. John Wroth
Sayle, Capt. Wm.	29	24½	Smith's		Mr. John Wroth
Sayle, Capt. W.	10	24½	Southampton		Mr. J. Bankes
Seares, Gideon	9*b*	29¼	Pembroke	Sir R. Rudyer	Earl of Pembroke
Seymour, Capt. Flor. (*Gov.*)	31	49	Southampton	Mr. Stephen Painter	Mr. H. Timberley
Seymour, Flor.	49	3¼	King's Castle	Castle Land	
Seymour, Capt. Flor.	18	10½	Hog Bay, Sandy's		
Seymour, Capt. Florentius	20	9	Ireland Island Sandy's		
Seymour, Capt. Florentius	20	18½	Somerset Island Sandy's		Mr. Rd. Chamberlayne
Shacklock, Richard	3	20	Hog Bay, Sandy's	Mr. Samuel Smith	
Sharp, Henry	33-4	30	David's Island		

[1] Some time the Earl of Warwick's.

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Shaw, Thomas	1	$\frac{50}{7}$	St. George's, E.	The Governor	
Sheires, Mrs. Eliz.	16	12	Hog Bay, Sandy's	Thos. Higginbotham	
Sheires, Mrs. Eliz.	16	14	Somerset Island		Mr. Rd. Chamberlaine
Sheires, Mrs. Eliz.	17	4	Ireland Island		
Sherelock, Edward	28	49	Southampton	Mr. W. Webb	Mr. G. Scott
Skroggin, Thomas	25	24½	Warwick	Mr. Daniel Gaud	Mr. R. Maplesden
Sommersall, Mr. Jno.	18	122½	Smith's. In these shares are the Church and Churchyard.		Sir Thos. Smith
Smith, Alexander	1		St. George's, E	Governor	
Smith, Rev. Sam.	2		St. George's, E	Glebe land	
Smith, Capt. Christr.	9	24½	Smith's		Mr. Geo. Barckley
Smith, Christr.	10	24½	Smith's	Sir J. Walpole	Mr. G. Barckley
Smith, George	26	24½	Smith's	Capt. W. Sayle	Alderm. Johnson
Smith, Humphrey	1	19	Hog Bay	Mrs. Hester Sandys	Col. R. Sandys
Smith, Thomas	11	24½	Smith's		Mr. Thos. Wale
Smith, Edward	22	49	Smith's		Mr. Geo. Barckley
Smith, Henry	29	24	Hamilton	Mr. Hugh Wentworth	Mr. H. Timberley
Smith, Sarah	11	24½	Warwick	Capt. Chrstr. Canter	Mr. Greenwell
Smith, Sarah		24½	Warwick		Mr. T. Wale
,,	12	24½	,,		,,
,,	13	24½	,,		,,
,,	14	24½	,,		,,
,,	15	24½	,,		,,
Smith, Samuel	7	28	Somerset		Mr. Geo. Smith
,,	3	20	Hog Bay		
,,	8	7	Ireland Island		
Smith, William, jr.	4	24½	Paget's	Dr. Guarding	Alderman Cotton
Southerne, Mr. Chas.	21	48	Hamilton		Mr. John Gearing
Sparke, Thomas	28	15	David's Island	Capt. J. Bernard	J. Milner
Sparke Thomas	27	10	David's Island		
Spatchurst, William	30	24½	Smith's		Sir John Worsenholme
Squire, John	25	49	Pembroke		Mr. R. Caswell
Stafford, Mr. R.	$\frac{15}{2}$	36	Hamilton		
Stalvers, Henry		14	Coney Island	Company	
Stalvers, Henry	2		St. George's	Ferry land	
Stanyan, Capt. E.	1	49	Paget's	Mr. A. Pymme	Sir W. Garway
Stirrop, James	1	$\frac{46}{2}$	Longbird Island	Company	
Stoakes, David	1		St. George's, E	Governor	
Stoakes, Jonathan, Lieut.	1¼	31½	Peniston Island	Captain of Paget's Fort	
Stoakes, John	25	24½	Paget's	Mr. John Wilson	Mr. Wheatley
Stone, Samuel	25	30	Hamilton	Mr. Perient Trott	Earl of Warwick
Stowe, Thomas	40	25	David's Island	Mr. Perient Trott	
Stowe, John	21	73	Devonshire		Mr. R. Roberts
Stowe, John	28	49	Pembroke		Sir Leonile Cranfielde
Stowe, Mr. John	27	49	Pembroke		SirThos. Smith
Stowe, Thomas	39	5	David's Island		E. of Warwick
Stringer, Mr. John	13	48	Hamilton		
Styles, John	13	24½	Southampton	Free School land	Sir Nathl. Rich
Swan, Thomas	11	24½	Pembroke	Mr. Perient Trott	Mr. Draper
Symmes, Henry	14	24½	Paget	Mr. A. Pymme	Lord Paget

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Tatum, Nathaniel	16	24½	Warwick	Mr. Perient Trott	Earl of Warwick
Tatum, Nathaniel	13	12	Warwick	Mrs. Sarah Smith	Mr. Thos. Wale
Tatum, Nathaniel	14	24½	Warwick	Mrs. Sarah Smith	Mr. Thos. Wale
Tatum, Samuel	16	6	Ireland Island	Mr. Geo. Waterman	
Thorntone, Nicholas	1	24½	Paget's	Mr. A. Pymme	Sir W. Garway
Thornton, Nicholas	5	24½	Paget's	Mr. Chandler	Alderman Cotton
Thraston, William	28	24	Hamilton	Mrs. Margery Hobson	Capt. Covell
Thrift, Lazarus	10	24½	Warwick		Mr. Sam. Ticknor
Todd, Mr. John	11	49	Southampton		Sir Nathl. Rich
Trevers, Robert	16	24½	Southampton	Lieut. Thos. Hilton	Sir Nathl. Rich
Trimingham, Mrs.	29	24½	Pembroke		Sir Thos. Smith
Trimmingham, Ann	17	49	Paget's		Mr. Palmer
Trott, Perient	39	25	David's Island		
,,	20	24	Hamilton		Sir T. Higgins
,,	23	24	Hamilton		E. of Warwick
,,	24	12	Hamilton		,,
,,	25	36	Hamilton		
,,	26	24	Hamilton		,,
,,	36	24	Hamilton		Mr. Thorpe
,,	5	24½	Smith's		Mr . Smith
,,	4 5 6	49	Devonshire		Mr. Weld [1]
,,	11	24½	Pembroke		Mr. Draper
,,	3–4	49	Warwick		Mr. N. Exton [1]
,,	16 to 20	122½	Warwick		E. of Warwick
,,	31 32	49	Warwick		Dr. A. Hunton
,,	34	24½	Warwick		Mr. R. Poulson
,,	19 to 21	73½	Southampton		E. of Warwick
,,	5	28	Somerset		Mr. R. Chamberlaine
,,	6	14	Somerset		Mr. A. Chamberlaine
,,	5	17	Hog Bag, Sandy's		
,,	10	7	,,		
,,	6	6⅜	Ireland Island		
,,	7	7	,,		
Tucker, Francis, Capt.	60		David's Island	Captain of Paget's Fort	
Tucker, Hy., Sec.	2		St. George's	Secretary's land	
Tucker, Geo.	22	24½	Warwick		Capt. Watts
,,	23	24½	,,		,,
,,	36 37 38 39 40 41 42 43	196	,, ,, ,, ,, ,, ,, ,, ,,		Sir R. Mansell

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[1] Some time the Earl of Warwick's.

Owner or Occupier	No. of Share	Quantity of Land A	Tribe or Locality	Of whom held	Original Grantee
Tucker, Capt. Geo.	1	78	The Overplus		
Turnor, Mr. John	14	49	Devonshire		Capt. Ed. Ditchfield
Turnor, Jonathan	16	24½	Devonshire		Mr. Nicholls
Turnor, Capt. Thos.	25	24½	Southampton		Mr. Geo. Scott
" "	17	18½	Somerset Island		Mr. Richard Chamberlaine
" "	19	18½	Somerset Island		Mr. Richard Chamberlaine
" "	15	7½	Hog Bay, Sandy's		
" "	17	11½	Hog Bay		
" "	2	4	Watford Islands		
" "	19	4	Ireland Island		
Tynes, Stephen	13	25	Paget's	Mr. A. Pymme	Lord Paget
Underwood, Mr. L.	33	49	Paget's		Sir W. Cope
Varvell, Robert	5	17	Hog Bay, Sandy's	Mr. Perient Trott	
Vaughan, John	1		St. George's	Company	by leave from Mr. Caswell
Vaughan, J.	27	24½	Devonshire		Mr. A. Palmer
Veazy, Nathaniel	38	24½	Warwick	Capt. Geo. Tucker	Sir Robt. Mansell
Veazy, Nathaniel	40	24½	Warwick	Capt. Geo. Tucker	Sir Robt. Mansell
Vesey, Nathaniell	25	13	an Island		
Vicars, Severen	21	49	Smith's	Mr. M. Bateson	Mr. Timberley
Wailet, Capt. Wm.	11	34½	Hog Bay, Sandy's		
Wailet, W.	13	6	Hog Bay		
Wailet, William	18	7	Ireland Island		
Wainwright, John	1	24½	Southampton	Mr. John Dorrell	Sir R. Smith
Wainwright, John	2	24½	Southampton	Mr. John Dorrell	Sir John Howard
Wainwright, John	5	$\frac{25}{1}$	Warwick		Mr. N. Exton
Wainwright, Mr. Jno.	6	$\frac{25}{2}$	Warwick		Mr. N. Exton
Wainwright, Jno.	7	24½	Warwick		Mr. Stephen Sparrow
Walpole, Sir John	10	24½	Smith's		Mr. Geo. Barkley
Wandy, Robert	20	24½	Devonshire	Mr. Delawne	Mr. Gideon Delawne
Ward, Thomas	37	7	an Island		
Ward, Mr. Leonard	3	49	Devonshire		Mr. Bishopp
Ward, Henry	34	16	Round Hill Island		
Warden, Philip	21	12	Southampton	Mr. Perient Trott	Earl of Warwick
Waterman, Mr. Geo.	15	28	Somerset Island		Mr. Richard Chamberlaine
Waterman, Geo.	16	$\frac{6}{2}$	Ireland Island		
Waterman, Nathanl.	18	24½	Pembroke		Mr. Hodges
Waterman, Mr.	14	12	Hog Bay, Sandy's		
Waterman, Mr.	8	7	Hog Bay, Sandy's		
Waterhouse, Mr. W.	24	24½	Warwick		
Watkins, David	16	24½	Pembroke	Mr. Christr. Burrowes	Mr. R. Maplesden
Watkins, William	4	24½	Paget's	Dr. Guarding	Mr. Fearne
Watlington, Mr. Francis	15	49	Devonshire	Mr. Francis Watlington	Alderman Cotton Capt. Ditchfield

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Waylet, Capt. Wm.	18	14	Somerset Island		Mr. Richard Chamberlaine
Weathersby, John	10	24½	Southampton	Capt. Wm. Sayle *For use of Mr. Waller*	Mr. John Bankes
Weaverley, Thomas	7	24½	Pembroke		Sir L. Hyde
Webb, W.	16	24	Hamilton		
Webb, Mr. William	28	49	Southampton		Mr. Geo. Scott
Wells, Thomas	19	49	Southampton	Mr. Perient Trott	Robert, Earl of Warwick
Wells, Widow	26	24½	Devonshire	Mr. Jos. Wiseman	Mr. W. Palmer
Wells, John	20	12	Southampton	Mr. Perient Trott In this is the Church and Churchyard	Earl of Warwick
Wells, Thomas	24	24½	Smith's	Elyas Flowers	Aldermn. Johnson
Welman, Martin	37	24½	Warwick	Capt. Geo. Tucker	Sir Robt. Mansell
Welman, Francis, sr.	12	24½	Paget's	Mr. A. Pymme	Lord Pagets
Welsh, John	$\frac{1}{7}$		St. George's, E	Governor	
Wentworth, H.	22	49	Smith's		Mr. H. Timberley
Wentworth, Hugh	1	24½	Warwick		Mr. Wm. Webster
Wentworth, Hugh	29	24½	Warwick		Mr. Wm. Webster
Whettenhall, Capt. Charles	20	49	Warwick	Mr. Perient Trott	Earl of Warwick
Whettenhall, Capt. Charles	19	$\frac{24}{1}\frac{1}{2}$	Warwick	Mr. Perient Trott	Earl of Warwick
White, Mr. Nathanl.	2	58	The Overplus	The Glebe	
White, Lieut. Anthy.	17	49	Smith's	Lieut, Anthy. White	Sir Edwin Sandys
White, Lieut. A.	3	24½	Southampton		Sir T. Smith
Whitney, S.	14	24½	Pembroke		Mr. Ward
Whittaker, Mr. Rd.	6	14	Somerset Island	Mr. Perient Trott	Mr. A. Chamberlayne
Whittaker, Richard	6	3	Ireland Island	Mr. Perient Trott	
Whittaker, Richard	10	7	Hog Bay, Sandy's	Mr. Perient Trott	
Whittaker, R.	6	14	Somerset	Mr. P. Trott	Mr. A. Chamberlaine
Wicks, M.	11	24½	Hamilton		Mr. R. King
Wilkinson, Parnell	31	24½	Smith's		Sir J. Worsenholmes
Wilkinson, Parnell	58	25	Tucker's Town	Company	
Wilkinson, Parnell	9	33	Hogg Bay	Mr. J. Cuffe	
Wilkinson, William	20	24½	Paget's	Capt. P. Lea	Mr. T. Church
Williams, Capt. Wm.	12	49	Devonshire		Mr. Edw. Luckin
Willis, Mrs. Ruth	4	25	Hamilton	Mr. W. Peazley	
Willis, Mrs. Ruth	1	25	Hamilton	Mr. W. Peazley	
,, ,,	3	50	,,	,,	
,, ,,	4	25	,,	,,	
,, ,,	5	50	,,	,,	
Wilson, J.	25	24½	Paget's		Mr. Wheatley
Wingood, John	15	$\frac{49}{3}$	Smith's	Mrs. Hester Sandys	Col. R. Sandys
Winterflood, John	22	12	Smith's	Mr. H. Wentworth	Mr. H. Timberley
Winwood, Esq., Rd.	33	49	Southampton	Mrs. Jane Leaycraft Sarah Hariot	Sir Rph. Winwood
Wiseman, Jos.	26	49	Devonshire		Mr. W. Palmer
Witter, Lieut. James	36	49	Warwick	Capt. Geo. Tucker	Sir Robt. Mansell

Owner or Occupier	No. of Share	Quantity of Land	Tribe or Locality	Of whom held	Original Grantee
		A			
Wood, Mr. Thomas	33	49	Pembroke		Mr. Wm. Payne
Wood, Thomas	13	14	Somerset	Sir J. Harper	Mr. J. West
Woodale, Mr.	30	24½	Paget's		Mr. Wells
Wright, Ralph	½	46	Longbird Island	Company	
Wrighton, William	14	24	Hamilton		
Wrighton, W.	7	24½	Smith's		Mr. G. Barckley
Wise, Samuel	3	49	Devonshire	Mr. L. Ward	Mr. Bishopp
Yong, Thomas	4	8	Hogg Bay	Esquire Basset	
Young, John	25	24½	Smith's		Ald. Johnson
COMMON LANDS	17	7	Hamilton		
,,	34	3	Hamilton		
,,	37	20	Hamilton		
,,	19	12½	Smith's		
,,	33	12½	Smith's		
,,	8	10	Devonshire		
,,	25	15	Devonshire		
,,	31	15	Pembroke		
,,	34	10	Pembroke		
,,	3	16	Paget's		
,,	16	6	Paget's		
,,	22	7	Paget's		
,,	34	7	Southampton		
,,	35	12	Southampton		
,,	36	6	Southampton		
,,	26	15	Warwick		
,,	27	15	Warwick		
,,	28	4	Warwick		
			Sandy's *none*		

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† Members of the Governing Body in London.

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LONDON: PRINTED BY
SPOTTISWOODE AND CO., NEW-STREET SQUARE
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